

The National NOTARY

January 2008

**Losing Mortgages
On The Paper
Trail P.32**

**That Seal May Not
Be Real P.37**

**Witnesses
Incognito P.40**

THE MAGAZINE FOR PROFESSIONAL NOTARIES

eVoting Touch Screen

MAYOR OF SALEM
(Vote for one)

Bruce Morgan

Barbara Bhalani

Harvey Mendoza

In

Making Every
Vote
Count

**Putting Your Stamp
On Elections In 2008**

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THE NATIONAL NOTARY is the official publication of the National Notary Association. We enjoy a nationwide circulation, with subscribers in several foreign countries as well, and welcome the readership of all those interested in the important work of Notaries.

PUBLICATION POLICY

The objectives of THE NATIONAL NOTARY are to: (1) publish only quality articles on Notaries, notarization and related subjects; (2) inform our readers of important developments in the field of notarization; and (3) focus on Notary issues and related subjects that are helpful, educational and informative to Notaries and others interested in the field.

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From The Managing Editor



The Challenge Of Restoring Faith In The 'System'

Our entire system of government and commerce works on the basis of one key concept: faith.

We have faith that money has value. We have faith that our political leaders will guard our constitutional rights. We have faith that groceries will be on store shelves; that law enforcement will protect us; and that the "system" will maintain a level of homeostasis, allowing us to realize "The American Dream."

But as the new millennium evolves, we have lost faith on many levels because trust in our systems has diminished.

As we enter another presidential election year, we knew the January edition of THE NATIONAL NOTARY needed to focus on the not-often-discussed issue of the importance of Notaries in the elections process (page 28). For centuries, Notaries have helped maintain an elevated level of trust in elections by helping to ensure votes are counted and candidates or ballot measures meet all the

necessary requirements to be put to voters. But as the past decade has demonstrated — culminating with the fiasco of the 2000 presidential election — more needs to be done to restore faith in the process.

With eVoting gaining ground, we are entering an era in which elections are positioned to gain unprecedented levels of accuracy. But security remains a major road block — an obstacle which can be easily removed with eNotarization.

We also put the magnifying glass on the secondary mortgage market (page 24), and how the sloppy and sometimes nonexistent paper trail meant to track mortgages through numerous changes of ownership is causing serious problems for homeowners, the industry and Notary signing agents.

The ideals of trust, integrity and professionalism for Notaries will always be the key themes of your publications because it is Notaries — with their rapidly gaining importance, recognition and respect — who will help restore faith in virtually all areas of our democratic and economic processes. And along the way, there will be plenty of opportunities to seize.

Phillip W. Browne

We have lost
faith ... because
trust in our
systems has
diminished.

COVER STORY

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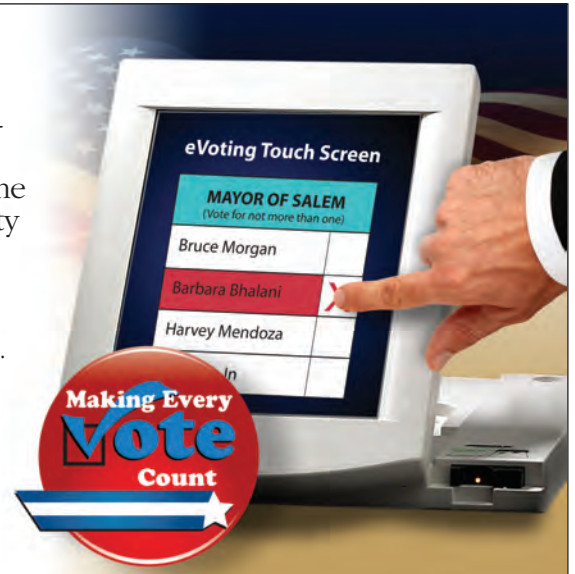
Notaries help the election process today by verifying signatures on petitions, nomination forms and absentee ballots. With the advent of eNotarization and electronic voting, some experts believe Notaries are the key to ensuring the integrity of future voting systems.

29 • Best Practices For Election Documents

Petitions are often searched rigorously for any sign of Notary errors. It's vital to follow basic procedures carefully when notarizing.

31 • Notable Dates In U.S. Election History

A timeline of landmark events in the colorful history of voting in the United States.



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Experts warn that failure to prepare and file the necessary documents to track mortgages through numerous changes of ownership is causing serious problems for homeowners and industry workers including Notary Signing Agents.

37 • The Real Seal

Precautions taken by conscientious Notaries may not be enough to safeguard the reputation of the venerable symbol of the American Notary office. All too often it is a central element in fraud schemes. Secure eNotarization, however, may be the answer.



40 • Witnesses Incognito

There are Notaries in places you might not expect. These are often called "ex officio" and are given notarial duties relating to their jobs such as justices of the peace, police officers and some Roman Catholic clergy.

24 • The UNA Changed The Landscape

Every state has its own rules for Notaries, a potentially complicated situation. *The Uniform Notary Act* was formed with the purpose of providing legislators with a uniform, comprehensive set of statutes that they could easily import into their respective state laws.

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THE PATH TO SUCCESS: 19 CHRISTINE HERGET

Health issues temporarily stalled her career, but did not conquer Christine Herget. She discovered inner strengths and realized that by being creative, she could redefine her entrepreneurial spirit.



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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 only the highest ethical standards of conduct and sound notarial practice.

OUR READERS' RIGHT

Notaries Under Siege

I truly appreciate Publications Editor Michael Lewis speaking out against the attack on Notary Signing Agents ("Notaries Under Siege," September 2007). I found a glimmer of hope in the article regarding the fight against attorney-only closing monopolies.

However, I am concerned that your article neglected to mention the state of Maryland, where Notaries are forced to spend thousands of unnecessary dollars purporting to work in the title insurance industry.

Maryland's siege against Notaries has continued since 2003, wrongfully founded on a few words lingering in our state code issued long ago, yet left unchallenged.

Maryland Notaries are basically denied their right to earn a living by providing independent contractual services to the public outside the employment of an attorney or insurance office. Most Notaries are unable to adhere to the unreasonable financial and educational requirements, which have no bearing at all on their actual service.

Why did you not mention Maryland in your article? I ask this having witnessed Marylanders forced to accept this because "someone said so" and I have communicated many requests to the NNA to become involved in stopping this scheme.

Donna Joyner, Oxon Hill, Maryland

While the NNA acknowledges and sympathizes with the extremely difficult situation Notary Signing Agents face in Maryland, the article's primary focus was states where attempts are being made to ban Signing Agents completely from working with loan documents. — The Editors

Fighting Back

I read with interest your article "Notaries Under Siege" in the September 2007 issue. I, too, have battled the legal fraternity for numerous years. The best defense is a strong offense when dealing with these types.

Notaries involved in situations where attorneys are trying to prevent them from working should file a complaint in their local jurisdiction.

Another way to defeat these folks is to organize during election time and make sure no attorneys are elected to public office, whether it's city or federal. And get the media involved. It's important ... and it works!

Tom Binford, Orlando, Florida

California Exam Issues

I recently had the occasion to renew my Notary commission. I find it outrageous that Cooperative Personnel Services (CPS), the very organization that is testing my ability to be a California Notary Public, is requiring me to

enter personal, sensitive information online in order to enroll in that exam.

Before I was done enrolling online for the exam, I was asked for my birth date as well as my full Social Security number.

For what possible reason does CPS need to collect this much personal, sensitive information online merely to enroll me in an examination? For identification? Surely I would be adequately identified once at the test site.

In the National Notary Association's publications, we are reminded of the prevalence of identity theft. It makes me extremely uncomfortable to put this kind of information out into cyberspace.

I hope by calling this to the attention of the NNA, appropriate changes to CPS procedures may result.

Linda Pasqual, Castro Valley, California

NNA Stands Up For Notaries

I appreciated Deborah M. Thaw's column in the September 2007 issue of THE NATIONAL NOTARY. Not only does the National Notary Association have a command of the

issues surrounding Notaries, but they have demonstrated that the NNA fights for both Notaries and consumers.

The NNA helped bring the problem of SB 764 in North Carolina [legislation that would have eliminated Signing Agents] to the attention of Notaries in this state, and the NNA helped us defeat the bill for now. I know the NNA will be there if it resurfaces.

I wanted to tell you that in my opinion as a mortgage professional with 11 years experience, you hit the nail on the head when you talked about mortgage fraud and fees in attorney-only states like Georgia.

John Frechette, Huntersville, North Carolina

Letters To THE NATIONAL NOTARY

We welcome letters, comments and questions from our readers. We reserve the right to edit for space and/or clarity.

You may reach us at publications@nationalnotary.org. You may also fax us at (818) 700-1942 or send mail to: National Notary Association, Editorial Department, 9350 De Soto Ave., P.O. Box 2402, Chatsworth, CA 91313-2402.

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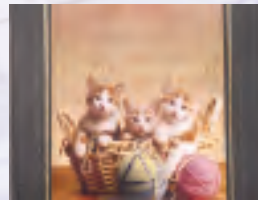


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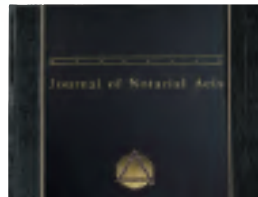
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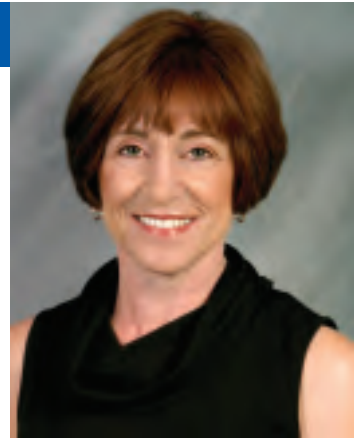
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This Year's Resolution: Learn 'New' Technology

As the old year ends and the new year begins, it is customary to reflect on what we've done and what we plan to do in the coming months.

Including the usual resolutions to eat smarter, exercise more and achieve a few professional objectives, I'm sure my list looks similar to everyone else's. But it is how we approach the beginning of a new year that will probably determine how successfully it will end for us 12 months later.

Many states have legislated more comprehensive Notary laws, some have passed more stringent regulations and, in a general sense, a changing business and legal landscape means there is no longer anything like business as usual.

As the mortgage industry and other business sectors begin to slow, some Notaries are concerned about what the future holds. But new opportunities are beginning to emerge, and for Notaries who are energetic and innovative, notarial activity will not slow.

Despite the discouraging reports of low consumer confidence, global warming and the like, there are ample upbeat accounts to counter the negativity. Chronic homelessness is down and productivity is up. Worldwide, literacy is at an all-time high and more people live today in freedom than ever before.

There is, though, an undercurrent of anxiety because the route forward is not always clear. In the past, a new law in a particular state might have required Notaries to start using an inking seal or to start recording their official acts in a journal. In such cases, the necessary response was evident: purchase a new inking seal or a new bound journal of notarial acts.

Today's new laws often are not as clear cut. Exactly how do I affix an electronic

Notary seal? How do I have someone sign my journal when it is not made of paper?

Anyone who shares my anxiety about downloading a new computer program can surely see the trepidation that some of these new technologies present.

Yet, like YouTube and Facebook and all the current digital innovations, we must recognize these changes for the opportunities they present. If we are to take full advantage of the onrushing opportunities and become, perhaps, full-time Notaries, we must be conversant with the latest technologies. But we must also be patient because in this new world it may take months, perhaps years, for all segments of society to acclimate to the inevitable digital changes.

Day in, day out, we have an obligation to our communities to be knowledgeable and competent, and to provide all nature of traditional, paper-based notarial services. As we enter the new year, however, we might want to add another line to our list of personal objectives: take a course and learn about the "new" notarization — in essence, be positive and optimistic about the future even if we can't quite understand it.

As any thriving Notary can tell you, success is not always measured by the number of notarizations performed or fees collected. In the end, our success as a Notary — and generally our success in life — is less about what we know and more about our attitude.

Deborah M. Thaw can be reached at dmtbaw@nationalnotary.org

ID Thieves Prowl Online Games



Hugely popular online games, such as 'Everquest' and 'Second Life,' draw players by the millions. Now hackers see them as a golden opportunity to steal identities and money.

It seems like a stretch to think your finances and livelihood face the same risks inside an online, roleplaying video game as they do on terra firma. But the notion is, in fact, a reality.

Hackers, identity thieves and organized criminals are using crafty techniques to "steal" the gaming accounts of thousands of players, which gives them access to players' personal information as well as an opportunity to cash in on the estimated \$800 million global market for in-game items and cash.

The trend specifically revolves around what's called "Massively Multiplayer Online Roleplaying Games," or MMORPGs, in which gamers play alongside thousands of other people in virtual worlds. In such games, which include the popular "EverQuest," "World of Warcraft" and "Second Life," players are motivated to increase their popularity and standing in the virtual world by boosting their skills and acquiring more powerful items and game currency.

By using hacking techniques and malicious software, criminals can seize the accounts of players, whose average age is 38, to obtain their personal data for identity theft and fraud. They also can sell the plundered in-game items and virtual cash, or an entire account, to other players for real money. Some players' accounts can be worth up to \$10,000 — in real money.

Finding New Opportunities In A Changing Market

For Notaries working in the real estate industry, times are tough. But many are branching out and performing non-real estate notarizations.

San Diego, California-based Theresa Davis, a certified Notary Signing Agent, said most of her current business comes from sources outside the real estate industry. She notarizes adoption documents; health-care directives; business and financial

documents; and powers of attorney.

As a mobile Notary, she can go to the client and gets to charge a travel fee in addition to her standard notarization fee.

Davis said she markets her non-real estate business on her Web site, in the Yellow Pages, via mailings and through personal contacts.

"I hand out my business card any time I can," she said.



By The Numbers

\$48,370 Average annual salary earned by court reporters, nationwide.

Average annual salary for court reporters in Massachusetts, whose only certification requirement is a Notary Public commission. **\$62,810**

28.7% Percentage of employed persons who volunteered for community or charity services, 2005-2006.

Number of Americans traveling 50 miles or more to work as reported by the Bureau of Transportation Statistics. **3.3 million**

20.7% Increase in U.S. retail eCommerce from the second quarter of 2006 to the second quarter of 2007.

Estimated value of U.S. retail eCommerce sales in the second quarter of 2007. **\$31.8 billion**

2.4% Idaho's August 2007 unemployment rate — the lowest in the nation, according to the Bureau of Labor Statistics.

Real Estate's Comeback Kids

The housing and mortgage markets have been hit with a drumbeat of bleak forecasts in recent months, but it is not all bad news. CNNMoney.com recently reported that 10 markets are ripe for a rebound this year.

One of the brightest outlooks is for New Orleans as it continues to recover from Hurricane Katrina.

The Big Easy ranks third on the list with experts projecting a 5.7 percent increase in the median home price by the end of 2009.

Nationally, the Mortgage Bankers Association predicts home prices will decline about two percent this year and remain flat next year.

The Dallas-Fort Worth, Texas, area ranks first on the list with a projected 6.4 percent growth in home prices, largely driven by a job growth rate at twice the national average, and in well paying fields.

Indianapolis, Indiana, comes in a close second at 6.3 percent because of its strong local economy. A four-bedroom, 2,000 square-foot home costs less than \$200,000, making Indianapolis the nation's most affordable major metropolis.



Housing Bouncing Back

The real estate market is expected to show solid growth in median home prices in a number of cities through 2009. Here are the top five areas where median home prices are expected to grow.

• Dallas-Fort Worth	6.4%
From \$151,930 to \$161,690	
• Indianapolis	6.3%
From \$122,940 to \$130,630	
• New Orleans	5.7%
From \$153,850 to \$162,600	
• Atlanta	5.6%
From \$177,750 to \$187,640	
• Montgomery	5.5%
From \$140,020 to \$147,690	

Source: CNNMoney.com

Antique Authentication Gaining Ground

In just about every town in America, there's an antique store. But who's to say that four-poster rice bed going for \$26,000 really is an authentic antebellum piece?

Many sellers are seeking the help of a Notary Public.

For example, Gallery 63 in Atlanta, Georgia, recently put up a Tiffany Studios Peony floor lamp for sale with a notarized provenance — a document establishing a chain of custody and the origin of the piece.

Consumers looking for unusual items, serious collectors and museums all appreciate solid documentation for purchases. Notarization lends credibility to the provenance.

The National Parks Service, which operates Abraham Lincoln's



home in Springfield, Illinois, is furnished with many items which connect directly to the 16th President. Two generations of notarized affidavits, for example, authenticate a sofa that Lincoln gave to Springfield resident John B. Kuecher in 1861.

For Notaries looking to expand their business options, a call to local galleries and antique shops might be just the thing.

Sell Yourself To New Clients

Sales is a lot like dating, says Kelle Sparta, founder of Sparta Success Systems. The secret to successfully wooing new clients is to pay more attention to the details — just like you would on a first date.

Sparta, the author of "The Consultative Real Estate Agent," offers these tips for attracting — and keeping — new clients:

Desperation is not attractive. Approach prospects like you don't need the business — but would like it.

Make them know you want them. Be interested, but not too interested. And if the match doesn't fit, you have to be willing to walk away.

Confidence is key. Prospects want to work with people who are confident; just don't be arrogant.

Listen more than you talk. Ask questions and appear interested.

Image is (almost) everything. You wouldn't leave for a hot date without looking your best, so don't show potential clients a grubby appearance.

Go where the people are. You can't find prospects by sitting at home.

Nobody likes a whiner. Let clients vent, but don't expect them to listen to why you had a bad day.

Never put other people down. You lose points when you gossip. Let prospects talk, but don't chime in.

Always call. Call the next day, and let them know you won't take them for granted.

Wiring The World One Needy Child At A Time

As businesses and governments around the world prepare for a future of electronic commerce, a major challenge is getting the entire globe wired. But a Massachusetts Institute of Technology professor and his colleagues are trying to do just that — one child and one laptop at a time.

For several years, the non-profit “One Laptop Per Child” (OLPC) program has been working to get specially designed computers into the hands of children in some of the poorest countries in the world.



Program Chairman Nicholas Negroponte, co-founder of the MIT Media Laboratory, and his associates have developed the XO, a low-cost, pared-down laptop equipped with wi-fi that is rugged enough for the

harsh conditions of Third World villages. It runs on free, open-source software and requires 90 percent less power than standard laptops.

Last fall, OLPC launched a holiday season marketing campaign called “Give 1 Get 1.” For \$399, Americans and Canadians could buy two laptops, one of which was shipped to a child overseas before the end of the year. Participants would receive the other.

Negroponte believes the computers will aid children in developing countries in the pursuit of knowledge. The target end-users are children 7 to 11 years old in the developing countries. To date, children in Cambodia, Afghanistan, Rwanda and Haiti have already received the XO’s.



eHealth Initiatives Becoming A Reality

It’s only a matter of time before most Americans can go online — to secure Web sites — and access their medical records. So will the medical care providers who treat them and the insurance companies that pay the tab.

The U.S. Department of Health and Human Services and numerous state governments are well on their way toward creating this reality within a few years. The use of electronic health records will foster safer, easier and more efficient distribution of information among care providers, pharmacies, insurance companies and other agencies.

In September alone, Arizona, Kentucky, Minnesota, New York, Vermont and Virginia secured grants, created advisory task forces, and even urged the federal government to create more eHealth programs.

The National Health Care Practice Taskforce has recommended a series of measures to protect private patient data. Among them, implementing secure licensing and certification programs and possibly including oversight by the federal government.

Electronic notarization is set to be a key component to securing eHealth records, such as disclosure requests, patient authorizations, consent forms and advance health directives.

eGovernment Redefining The Public Sector

Americans have been able to file their income tax returns — and receive refunds — online for a number of years. We’ve also had the opportunity to cruise any number of government Web sites for handy information, forms and advisories.

Now governments at all levels are pushing to expand the use of the Internet to make it easier for people to access everything from the departments of motor vehicles and the courts to business resource portals and county property records.

Internet search engine Google has even started a pilot eGovernment Portal program (usgov.google.com) with the federal government and four states — Arizona, California, Utah and Virginia — to consolidate all eGovernment services from each state to make them easier to find.

These innovations mirror the National Notary Association’s eGovernment solution for Notaries: the National eNotary Registry™. The Registry allows people to get real-time verification of a Notary’s authority to perform eNotarizations.

A Daunting Task: 300,000 Terror Suspects

Identify theft played a key role in the 9/11 terrorist attacks, and Notaries are now looked to more than ever to help keep our nation safe. But that task may be more daunting than ever, according to federal officials.

The U.S. Terrorist Screening Center recently revealed that there are more than 300,000 names on the federal terror watch list. About 5 percent of those individuals — 15,000 — are U.S. citizens, said Leonard Boyle, head of the terrorist screening center.

With so many names on the list, the need to positively identify

signers — and fulfill other notarial requirements — has never been more crucial.

It may be time to brush up on different forms of ID as well as signs of a fake, such as suspicious marks or rough edges. It's also OK to quiz a signer on the ID's information.



Passport Rush Boosts Demand, Delays For Birth Certificates

Passport offices aren't the only places being deluged with travelers scrambling to meet new federal requirements. State and local officials across the country are seeing a surge in requests for birth certificates, which are required to get a passport.

It's all thanks to the Western Hemisphere Travel Initiative that becomes effective this month and requires airline passengers traveling to and from Canada, Mexico, the Caribbean and Bermuda to have U.S. passports.

The backlog of birth certificate applications is increasing

the waiting time for them and, consequently, the passports.

Almost all states make it relatively easy to obtain a birth certificate by mail. Arizona and California, however, have more stringent, Notary-related requirements that seem to be prudent in the era of increased ID theft.

In Arizona, a notarized request is required when the applicant isn't present, or when applying by mail.

California requires a birth certificate application to be accompanied by a sworn, notarized affidavit affirming requestor's identity.

You can order birth certificates online at sites such as vitalrec.com, vitalchek.com, and nationalbirthcertificate.com, in addition to various state, city and county Web sites. It may be faster to contact the county where a birth occurred rather than applicable state offices.



Notary Signing Agent Resources

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Employers Under The Gun On Immigration

Federal Government's Attempt To Impose ID Verification Rule Being Fought Out In Court

The federal government wants to crack down on employers who hire illegal immigrants. But first it will have to get around a court ruling.

Currently American companies must ask employees for documentation proving they are authorized to work in the U.S., but employers are not required to verify the information.

The Social Security Administration had planned to send more than 140,000 letters to employers telling them that tax deposits for 8 million workers could not be matched with valid Social Security numbers.

The U.S. Department of Homeland Security had intended to

go after employers who failed to resolve the discrepancies or fire the workers. The letters would serve as proof that the companies knew their workers were illegal immigrants.

But in October, U.S. District Judge Charles Breyer in San Francisco, California, temporarily stopped the government's plans pending a final ruling, which could take months.

Notaries should be aware that uncertainty surrounding the immigration policy could lead to an increased number of immigrants attempting to use forged or "breeder" documents to obtain authentic, but still fraudulent, identity documents.

U.S. Illegal Immigrant Populations

The bulk of undocumented immigrants have congregated in 10 primary states, including:

California	2,830,000
Texas	1,640,000
Florida	980,000
Illinois	550,000
New York	540,000
Arizona	500,000
Georgia	490,000
New Jersey	430,000
North Carolina	370,000
Washington	280,000
Other U.S. states	2,950,000

SOURCE: U.S. Department of Homeland Security



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Overcoming Obstacles Is Her Entrepreneurial Spirit

For Christine Herget, Depending On Herself Works Best, Despite Challenges Of Business Ownership

Inside Christine Herget beats the heart of an entrepreneur.

While she's toed the line working in corporate America, she prefers being in business for herself. In previous endeavors she owned a gift shop in Bossier City, Louisiana, worked as a hair stylist, typed term papers for students and helped landlords screen prospective tenants.

"If I couldn't find a job, I'd make a job," Herget said.

In 2004, Herget, an experienced loan officer, took a position at Washington Mutual Bank in Bellevue, Washington. At the bank's request, she obtained her Notary commission then became a Notary Signing Agent through the NNA.

A light bulb went on.

"After my first couple of signings I was just so excited — and I felt so empowered," Herget said.

She threw caution to the wind when the opportunity to get back in business for herself emerged. "I quit my day job and decided to go at it, full force," said Herget, who still lives in Bellevue. "That's just my personality. I'm just not afraid to take risks, because I do enough research to know I'm not jumping into something blindly."

Herget took out a \$50,000 line of credit from her bank and set about building her business both by conventional and unconventional means. She first developed two Web sites embedded with key words so they'd show up on the first page of a Google search (Eastsidenotary.com, Bellevuenotary.com). She wrote her own press releases, which were picked up by the local press. She

distributed flyers, signed up on several different signing agent Web sites, and began to capitalize on her contacts in the real estate business.

Things were going well, so in March 2007, Herget took a trip to Las Vegas. Upon arrival, she was hit with an aggressive staph infection and as a result, was in an upper body cast for four weeks. In total, Herget spent nine weeks in a Nevada hospital.

After being out of touch for all that time, she had to restart the business she had worked so hard to build.

"I was really in a bad place emotionally," she said.

After a deep breath and much reflection, she eventually started reconnecting with her old contacts.

In addition, she repositioned her business by advertising non-real estate notarization services to two large employers in her area — Microsoft and Google.

"I decided that I wasn't going to worry as much about the signing business," she said. "Microsoft and Google do a lot of overseas recruiting. Their new employees now call me, often needing some employment-related documents notarized, such as certified passport copies."

Herget makes extra money for the travel that is usually required.

"I'm the type of person who just has to have my own business," she said. "As long as I'm doing what I like, I can deal with a challenge every month."

— Michael Mink

Christine Herget **Owner, Eastside Notary in Bellevue, Washington**

• **Education:** Bachelor of Arts in journalism, University of Wisconsin

• **Motto:** "It's easier to tame a tiger than breathe life into a slug."

• **Most influential person:** "It hasn't been any one person, but it's been strangers or people I've met along the way. I try to gain from those experiences."

• **Personal:** Single, no children, but with "three little dogs, that I just love."

• **Hobbies:** Reading, book clubs, yoga.



Digital Certificates Now Available For Corporate Officers

The National Notary Association is offering secure digital certificates to corporate officers and other non-Notary signers who wish to protect their identities and secure electronic documents with the same technology used in Electronic Notary Seals™.

NNA Non-Notary Digital Certificates can be used by corporate officers, trusted employees, and any non-Notary requiring a secure electronic signature.

These certificates, which are accredited by the Secure Identity Services Accreditation Corporation (SISAC), are offered in both basic and medium security-level models.

Basic security level certificates are appropriate for documents requiring a secure eSignature. To obtain this digital certificate, applicants must mail a completed and notarized application (available on the NNA Web site), and a photocopy of one form of state or federal photo identification to the NNA.

Medium security level certificates are appropriate for documents requiring eSignatures with a greater degree of assurance of the signer's identity. Applicants must appear in person before a Notary Public; present one form of federal-government issued photo ID or two forms of state-issued photo identification to the Notary Public; get the completed application notarized; and mail it along with a photocopy of each form of ID.

For more information, go to NationalNotary.org/eNotarization or contact pki-support@nationalnotary.org.



North Carolina Approves NNA's eNotary Solutions

The North Carolina secretary of state has authorized the National Notary Association to provide electronic notarization solutions to the state.

Notaries there now can employ the Enjoa® eNotarization and electronic journal system for use with the Electronic Notary Seal (ENS™). More than 250 Notaries have been trained as eNotaries since the state adopted standards for electronic notarization in 2007.

These Notaries are now trained and equipped to electronically

notarize documents and transmit them to registers of deeds offices throughout the state for virtually instantaneous filing.

Register of deeds offices with software systems complying with



the state's electronic recording standards can also accept and file these electronic documents. The state adopted eRecording standards last April.

Veteran Notaries Sought For Instructor Program

The National Notary Association's Educational Services Group is seeking assistance from qualified Notaries to perform as paid certified instructors or featured volunteer speakers at seminars.

As the demand for Notary education increases, the NNA has been working to boost its cadre of qualified instructors across the nation. Certified instructors share

their knowledge and insights with current and soon-to-be colleagues while generating additional income. This is a unique opportunity for Notaries to network and enhance both their business and career prospects.

NNA certified Notary Public instructors must be commissioned Notaries with a minimum of two years' experience. Candidates must go through extensive training based on their notarization expertise and public speaking skills. A laptop is required.

Interested Notaries should contact Steve Ryan, educational services assistant group manager, at sryan@nationalnotary.org.



YOUR BENEFITS: State Supply Packages

Every state has different rules for Notaries which means different tools are needed to notarize documents. The NNA offers state-specific Notary supply packages so Notaries can effectively and lawfully perform notarizations no matter where they reside.

A supply package contains such valuable items as a Notary stamp, journal, acknowledgment certificates, errors and omissions insurance, and — when applicable — a *Notary Law Primer* and Notary bond.

All supply packages offer a unique savings to customers, with current Notaries receiving even more discounts.

Conference Web Site Highlights Event's Excursions, Speakers



A number of exciting workshops, speakers and excursions are being planned for Conference 2008 in New Orleans, and Notaries can get all the information they need by going to the Conference Web site.

NationalNotary.org/Conf2008 has the latest news and information about the "Notary Event of the Year," the Association's 30th. While many activities have been

planned, there are constantly new developments, so check the Web site regularly. The NNA will be posting information about the main programs as well as the "Working Luncheons" and other exciting activities.

Also on the Web site, Notaries can learn how to take advantage of the Conference's "Early-Bird Registration" to save \$125 off the regular price.

Conference 2008, themed "Secure eNotarization and Best Practices Today," will commence May 27–30 at the Hilton New Orleans Riverside Hotel.

 www.NationalNotary.org/Conf2008

New Law Updates Now Available On Web

A number of laws affecting the Notary Public office have been passed in recent years, and Notaries can now find information on the NNA Web site about all Notary legislation in the United States dating back to 2004.

Visitors to the site can find details of a particular law —

including its effective date — by searching by year or state. All Notaries have access to a law's text, while NNA members can also download a PDF file which includes a more detailed explanation of the text as well as NNA analysis.

 www.NationalNotary.org/lawupdates

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Magazine, Bulletin Available On Web Site

The NNA's professional news gathering and writing team produces premiere publications for Notaries, Notary regulators and businesses who use and depend upon Notaries. Now, NNA members can download back issues of the Association's flagship publication —

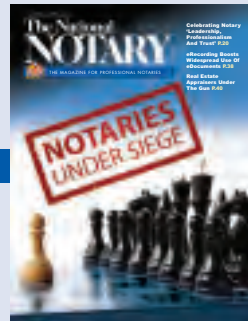
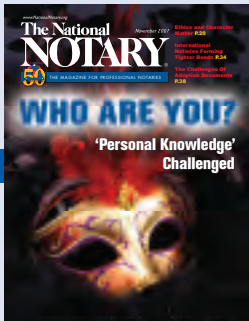
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Each PDF contains the covers and all regular features, columns and departments regularly found in the magazine.

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NNA's other main publication, the NOTARY BULLETIN newspaper, on an article-by-article basis.

To access PDFs of THE NATIONAL NOTARY or NOTARY BULLETIN, log onto the NNA member community at NationalNotary.org and click on "News & Resources."





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International Teamwork Redefines Global Security

By Timothy S. Reiniger, Esq.
treiniger@nationalnotary.org

We are well aware that Notary professionalism is being increasingly demanded today in the United States, driven especially by the need for both information and identity assurance.

New and unique uses for Notaries Public and Notary technologies are indeed necessary, acutely focused on ensuring legally reliable and enforceable secure electronic documents and signatures, and establishing trusted methods of third party identity proofing and recordkeeping.

But this critical need for security and legal reliability is also rocking the global network of Notaries.

Since the turn of the century, we have seen unprecedented levels of collaboration and cooperation among Notary officials across the globe, focusing on ensuring the authenticity, legalization, and enforceability of documents exchanged across borders. This collaboration reached critical mass during the 1st International Forum on eNotarization and eApostilles in 2005 — spearheaded by the National Notary Association, The Hague Conference on Private International Law and the International Union of Notaries (UINL) — and has only gained momentum since.

Most recently, I had the distinct honor of attending the International Congress of Notaries Conference in Madrid, Spain, hosted by the UINL, where Notary professionals from around the world gathered to further examine how societal, legal and technological issues are driving major changes in the way Notaries serve their constituents.

It is clear that, while Notaries in different countries have widely diverse duties, responsibilities and practices, we all are facing unprecedented challenges of the 21st century driving the need for uniform best practices with respect to how the notarial act is

evidenced both in paper and electronic form.

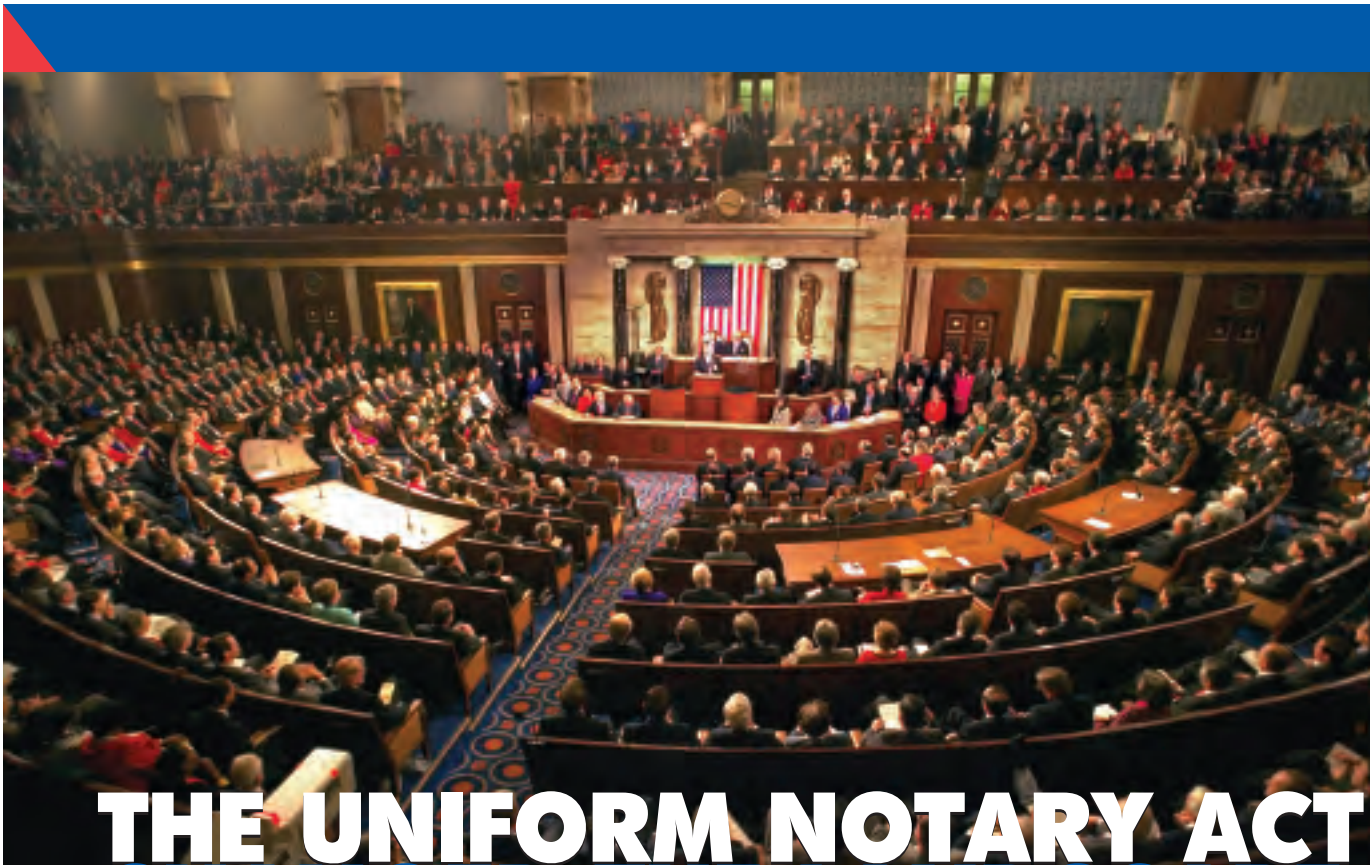
Many of the sessions were focused on identity management, eCommerce and methods of creating trustworthy and secure means of identification for anyone conducting electronic transactions. They also focused on the broader legal implications of eNotarization and electronic certificates on electronic evidence and how to ensure the enforceability and provability of these documents in legal proceedings.

Plus, with the e-APP, a working system for eApostilles created in a partnership between the NNA and The Hague, discussions also focused on how the document authenticity standards reflected in this program can be employed by both civil law and common law Notaries.

For documents leaving the United States, American Notaries must use an official seal of office regardless of whether or not required by the local commissioning jurisdiction. Simply writing or typing “Notary Public” or “seal” is not legally recognized outside the United States, and could potentially cause grievous damage.

Indeed, there are global efforts afoot to ensure that international transactions remain sound, secure and legally recognized. While the citizens of different countries have varying values, ideals and goals, it is the responsibility of Notaries across the globe to make sure that their citizens’ rights, property and lives are protected.

And the NNA will continue to work together with the world’s Notaries to achieve this goal.



THE UNIFORM NOTARY ACT CHANGED THE LANDSCAPE

By Michael Mink
mmink@nationalnotary.org

STATE NOTARY LAWS ACROSS THE COUNTRY HAVE
BEEN SHAPED BY THESE LANDMARK GUIDELINES

ANY NOTARY WHO HAS EVER MOVED FROM ONE state to another — and obtained a commission in the new state — understands the wide disparity of responsibilities, obligations, qualifications and authority connected to the office in different places.

Each state, territory and district (and the occasional county) has its own rules for Notaries — a situation that potentially complicates everything from routine real estate transactions to billion-dollar interstate commerce.

For almost 40 years, the National Notary Association — first under the direction of NNA founder and former President Raymond Rothman, and now under current President Milt Valera — has been working to reconcile this disparate state of affairs while establishing uniform, professional standards for Notaries across the country.

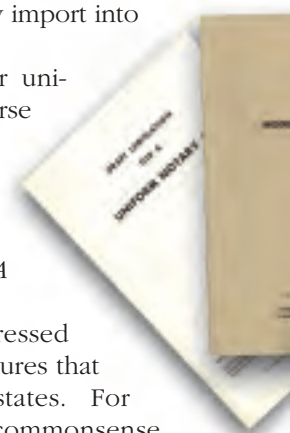
The first efforts culminated in 1973 with the *Uniform Notary Act*. Today, it has evolved through

numerous incarnations into the *Model Notary Act*.

Its singular purpose has always been to provide state lawmakers around the country with a uniform, modern and comprehensive set of legislative statutes addressing the most important aspects of proper notarial procedures they could easily import into their respective state laws.

The idea was to create greater uniformity nationwide, replacing diverse and often antiquated notarial laws. To date, the vast majority of states, along with the territories of Guam and Northern Marianas, have enacted some part of the *UNA* or *MNA*.

The original *UNA* also addressed important aspects of notarial procedures that weren't normally covered by states. For example, it incorporated the commonsense



prohibition against notarizing a document in which the Notary has a “beneficial interest.” It also introduced the concept of maintaining a secure, sequential journal of notarial acts.

Rothman, Valera and NNA staff members began researching the idea of a uniform Notary act in 1971, allocating hundreds of man-hours to determine its feasibility. To draft the *UNA*, the NNA called on the “best and the brightest” by enlisting the services of Yale Law School’s Legislative Services in New Haven, Connecticut. The NNA also recruited state and federal lawmakers, attorneys and public servants to serve on an advisory committee.

All versions of the legislative model — and their accompanying comment sections explaining the rationale for each section — are in plain English so they are understandable to lawmakers and the public at large.

The original *UNA* focused on meeting the commercial and societal needs of the 20th century by bringing all state Notary public statutes into conformity, while also clarifying and defining the Notary Public role in modern society.

“The *UNA* was a compendium of the best statutory rules that could be conceived for Notaries. They were not only ideal rules, but they were drafted with an eye toward workability,” said Valera, who was on the original *UNA* advisory committee.

The process of creating the *Uniform Notary Act* planted the seeds for the NNA’s *Notary Code Of Professional Responsibility*, which came to fruition in 1998.

Each new version of the model has embraced the most current concepts of best practices, down to and including the newly emerging field of electronic notarization.

“No one says that a state legislature has to adopt the whole thing. They can do that, or they can adopt an article of it, or a section or a subsection, or even a sentence or word,” said Charles N. Faerber, the NNA’s vice president of

Notary affairs. “If we contribute something to the public domain that some legislature finds useful in embodying a principle, then the *MNA* has been helpful.”

With the drafting formula in place, the *UNA* was revised and renamed the *Model Notary Act* in 1984. The focus was then to incorporate modern techniques for detecting and deterring fraud. That extended to both the screening of Notary applicants and in the performance of a notarial act. It also addressed the issues of revocation and suspension of powers, recordkeeping and disposition of

records and seals.

Starting in 1997, when issues such as eNotarization, identity theft and the new profession of Notary Signing Agents emerged, work began on what became the *MNA* 2002 revision. Most recently, Mississippi adopted significant portions of it in April 2007.

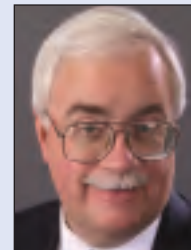
Recognizing the growing importance of eNotarization, another advisory committee of public officials, industry executives and NNA officials currently is working on the second draft of revisions to the eNotarization section of the *MNA* of 2002.

“I think the value of the *MNA* is demonstrated by the number of states over the years that have tapped into it and used it,” Faerber said. “The proof of its effectiveness is in the pudding.” **NNA**



Law Student Leaves Mark On Original Draft

When the National Notary Association decided to write the *Uniform Notary Act* in 1973, it called upon the services of the prestigious Yale Legislative Services. Working with some of the smartest, most experienced minds in the legal profession was John Adney, a Yale Law School student, who assisted with the project.



John Adney

Today, Adney is a founding partner of Davis & Harman LLP, in Washington, D.C.

A course in contract law sparked Adney’s interest in legislation, prompting him to join YLS, he recalled in a recent interview. The *UNA* was the first project to come his way.

“I was assigned to take a draft and make it read like a statute that a legislator would enact,” Adney said. “I was to make sure it was internally consistent and fit within frameworks of state laws, things of that sort. I was to take the words that were there and put them into the right format.”

Adney said the time he spent working on the *UNA* helped when, as a tax lawyer, he drafted revisions to the Internal Revenue Code in 1982.

“I drew upon the legislative experience I had, beginning with the Notary act,” he said.

At Yale, he was classmates with Bill Clinton, Hillary Rodham Clinton, Clarence Thomas and Samuel Alito.





By David S. Thun
dthun@nationalnotary.org

Winston Churchill, England's prime minister during World War II, once said, "Democracy is the worst form of Government except all those others that have been tried from time to time."

To read the headlines during any election cycle, it's easy to see what he meant.

Whether it's hanging chads or allegations of blocked ballots and forgotten voters, accusations of chicanery and fraud accompany just about any important election.

With more than 140 million registered voters able to cast ballots in thousands of precincts across the country, discrepancies, mistakes and abuse are inevitable.

Over the years, voting has evolved to become more fair and efficient, but as recent presidential elections show, there is an increasing need to build new levels of trust in the process — a process in

which Notaries play a crucial role.

Today, Notaries help secure the practice by verifying signatures on petitions, nomination forms and absentee ballots, and with the advent of eNotarization technology and heightened interest in electronic voting, some experts believe Notaries are the key to ensuring the security and integrity of the voting process of the future.

"The Worst Form Of Government"

Despite its roots in ancient Athens, the idea of an elected government was truly revolutionary in 1776. But the grand

experiment conducted by the nation's founders was anything but neat.

At first, only white, male property owners above a certain age could vote. Often, they would cast their preference by shouting their votes at a raucous, public gathering that was more an excuse to drink than to select a candidate. It took nearly two centuries for voting rights to expand to their current status. And for just as long, the people who run elections alternately have been trying to rig them or make them more honest. For more than a century, there was no voter registration.

Throughout the 1800s, political parties controlled the printing and distribution of ballots. These early ballots, called "party tickets," only listed candidates from the party printing the ticket. If you wanted to vote for someone from another party, you had to find a place where the opposing party was distributing their own tickets. In short order, a myriad of different ballot formats were used. Fraud was common.

Whether it was losing entire ballot boxes, having the dead vote or printing ballots in a confusing manner, partisan election officials found all sorts of ways to ensure the outcome they wanted, a tradition that continued in modern times. The late Chicago Mayor Richard J. Daley was notorious for being able to influence voting in his city — and the state of Illinois — through deals and power-brokering.

As the voting population increased, demand for election reform grew. Blanket ballots listing all candidates in elections replaced the old “party tickets.” New types of ballot boxes deterred voter fraud and helped guarantee better ballot counts. Instead of voting out in the open, private booths helped voters keep their choices from prying eyes. As the voting process struggled toward a more honest form, Notaries came to play a greater part in the fraud-prevention process.

Notaries In The Election Process

Typically, candidates seeking to run for office must collect a minimum number of qualifying signatures on a petition. To make sure all signatures are collected properly, many jurisdictions require petition circulators to sign notarized affidavits saying they followed proper procedures. Some offices or ballot measures can require hundreds of thousands of signatures.

Some states also require absentee ballots to include the voter’s notarized signature. States such as Wyoming require voters registering by mail to appear in person and fill out their registration form

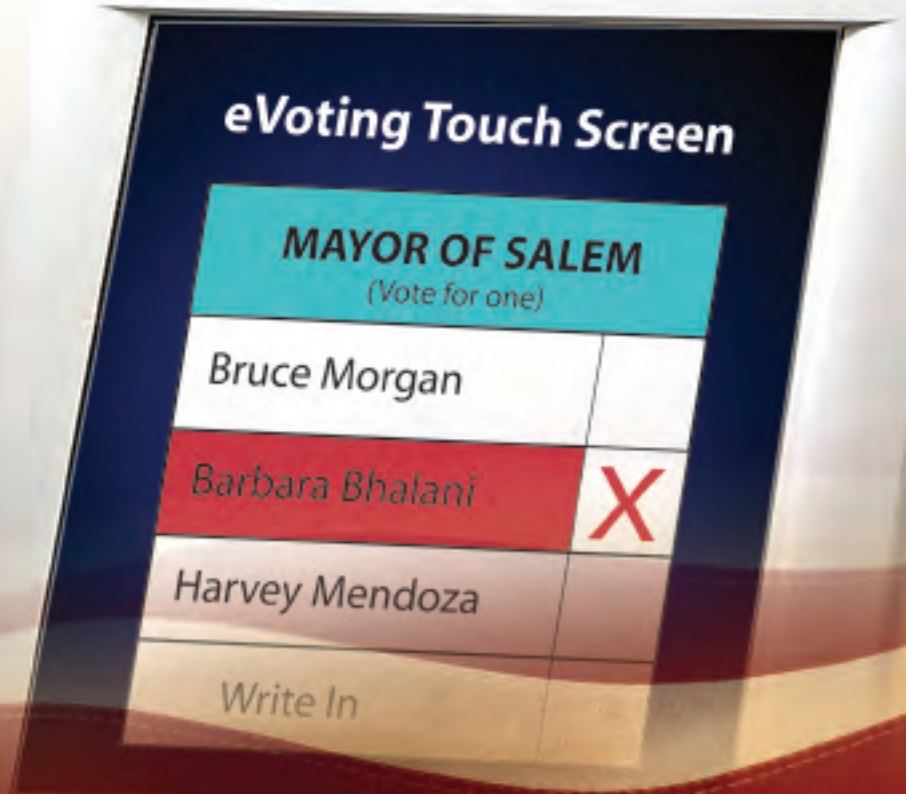
before a Notary Public. Vermont has first-time voters take an oath or affirmation before a Notary or other authorized official.

“The role of Notaries in the election process has increased, especially in recent years,” said David Kimball, associate professor of political science at the University of Missouri-St. Louis and an expert of voting technology and behavior. “Certainly absentee voting and voting by mail is becoming more popular. There’s also more attention being paid to voter registration, and validating signatures on voter registration forms. I think Notaries will find an increasing role there as well.”

The notarization process is one of the most closely scrutinized

aspects of nomination petitions and other key documents when the results of an election are challenged, said Susan Johnson, president of the organization National Voter Outreach and an experienced petition drive organizer. Because an improper notarization on a petition can invalidate thousands of signatures at a time, Johnson said political opponents often look for notarial errors to disqualify a rival candidate or measure.

Johnson described an Oklahoma case where a petition was challenged by pointing out that only residents of Oklahoma were permitted to sign, but a Notary had accepted a California driver’s license as ID for a signer.



In another petition challenge, Johnson described how nearly 13,000 signatures were disqualified because they were acknowledged before a Notary who wasn't bonded.

States often have special Notary requirements or procedures in order for petition documents to be acceptable, Johnson said.

"Notaries involved in petition drives need to be aware of any special requirements above and beyond normal procedures," she said. "I remember one situation we were involved in where we were submitting 250,000 signatures on petitions. We found out at the 11th hour that one-third of the documents had been notarized by someone who used a signature stamp instead of a written signature."

However, the errors involving notarized petition documents can be avoided through common sense, a sound knowledge of state Notary laws and scrupulously following procedure, Johnson said. "Mistakes can happen to anyone, even Notaries," she said. "But with election petitions, if the oldest signature on the document is dated the 21st, and the Notary puts the date of the notarization as the 20th, it could invalidate all the signatures. Simple errors can have drastic consequences."

The best way to avoid problems, she said, is to request proper

identification for every notarized signature, keep an accurate journal record of notarial acts, and check that certificate wording is dated correctly.

eNotarization — A Possible Solution To Future Election Security

The 2000 U.S. presidential election is notorious for its legal battles over the validity of ballot counts in the state of Florida. The narrow margin of votes between candidates George W. Bush and Al Gore resulted in a mandatory recount and a flurry of challenges over the tallies in the media and the courts. There were allegations in Palm Beach County that unclear ballots may have resulted in people voting for Reform Party Candidate Pat Buchanan instead of Al Gore; arguments over whether partially punched holes on punch-card ballots should be counted (the so-called "hanging chads"); and questions were raised concerning the impartiality of then-Secretary of State Katherine Harris, the state's top election official.

The disputed Florida vote led to calls for reform in the ballot process to eliminate confusion in the event of another close presidential race. In response, Congress passed the Help America Vote Act (HAVA) in 2002, designed to fund the replacement of punch card ballot voting and to ensure access to polling locations. HAVA also

requires anyone who votes by mail or who is voting for the first time in a federal election to provide identification before voting. While proponents of HAVA contend these measures will help deter voting fraud, critics have claimed that the new requirements complicate the voting process and make it more difficult for low-income citizens to vote.

The 2004 presidential election, once more, was rife with accusations of misconduct. Democrats in Ohio claimed nearly 360,000 voters either could not cast ballots or were not counted properly. Whatever the reasons, the voting system still needs a great deal of help.

With the enactment of HAVA, some proponents of election reform have proposed eliminating paper ballot sheets in favor of electronic voting machines. However, Jim March of BlackBoxVoting.org, a national election watchdog group, strongly criticizes the use of electronic voting machines and the current security of electronic ballot data — even tallies from paper ballots.

"Voting records are often stored electronically in an unprotected software format such as Microsoft Access, with no encryption," he said. "One of the points we're concerned about with electronic voting is that at the county level, everyone bases their count on data sent to a standard PC. If you change the date and time on that PC, you could turn it into a time machine. When you're talking about the possible backdating of voting records, it becomes very dangerous. One person tampering with records at a central location and it's all over."

Best Practices For Election Documents

Military strategists know that one of the best ways to win a war is to keep your opponent off the field of battle.

In politics, that means keeping your opponent off the ballot. That's done by invalidating the nominating petitions by, among other things, targeting notarization.

All across the country, nomination and ballot petitions are combed rigorously for errors, and the simplest mistake by a Notary can be fatal for a candidate's campaign.

Here's a checklist of basic steps Notaries should follow carefully. Though these apply to any notarization, they are heavily scrutinized with election documents, as even innocent mistakes can ruin a petition or other key election documents.



Check your dates. Notaries should always double-check to see if the date of notarization is correct and should never backdate election documents.



Verify ID for every signature notarized. Even if it's tedious to ensure every signer is identified properly on a petition, it's still required by law to identify signers. Failing to identify signers can invalidate the whole document.



Notarize only, don't correct documents. Johnson described one well-meaning Notary who mistakenly changed information on documents during a petition drive with correction fluid. A Notary's responsibility is to identify signers and notarize signatures. Do not take it upon yourself to alter documents.



Keep good records. Even if not required by state law, a journal record can show the Notary followed proper procedure if an election document is challenged later.



Affix a clear seal impression. In some cases, a blurred or indistinct seal will cause an election document to be rejected.

March also criticized the security of optical scanners used by some precincts to count votes. Paper ballots are placed in these scanners, which then record the dots the voter marks on the ballot. However, March says that certain types of memory cards used to store scanner data are easily sabotaged.

"Some of these memory cards predate flash drives," he said. "They are so old that they use watch batteries to keep power going to their memory chips. If you jiggle or hit the card, you can reset its memory and the information stored on it."

"Look how seldom election machines are used — only once or twice a year," March said. "But in computer terms, after 10 years, you're asking yourself why you are using it."

Some states, such as Florida, have discontinued using electronic voting machines because of security concerns, Kimball said, but budget issues also make states and counties reluctant to upgrade their election equipment too often.

"Vendors who make these machines are trying to improve their product to address security concerns," Kimball said. "On the other hand, many states and counties have recently purchased

new voting equipment. Even though the technology is evolving, local governments don't like to buy and dump equipment two years later. There's a certain resistance to switching to whatever the latest version is."

Notaries authorized to affix electronic seals could be much more effective in deterring electronic ballot data tampering, March said, because altered voter records would be obvious to election officials and observers.

Simple errors can have drastic consequences.

"At every election in this country, we need a way to stamp files to determine if they've been tampered with afterward," he said, adding that the best place to have Notaries verify data would be at a county's central tabulation location, where local precincts send their results to be tallied.

"That would be the most critical place Notaries could help," he said.

March noted that the central tabulator is also the place where, typically, mail-in ballots are scanned and counted in the week prior to an election, so the results are ready on Election Day. March suggested that Notaries authorized to perform eNotarizations could help ensure mail-in ballots are protected from fraud. "We would

need Notaries there every night to lock down the results," he said.

Electronic notarization also could help secure the voting process for Americans who vote overseas, especially military personnel, Kimball said.

"The Defense Department has studied the possibility of voting via eMail for military personnel stationed overseas, but has not put it into place because of security concerns," Kimball said. "A military Notary could possibly secure the voting form electronically, then send the vote by eMail."

"Overall, I'd say the election process is pretty good, but there's always room for improvement," Kimball said. "I do think the security of electronic data is a concern. Election officials are taking a closer look at this because of the concerns of citizen groups."

So are electronically capable Notaries the solution to safeguarding electronic election data? March certainly believes they can fill this role, and said provisions to utilize Notaries should be added to state or federal election laws.

"There's a movement calling for [electronic ballot data] to be saved to a non-alterable format, such as a read-only CD-ROM or DVD. Can or should that data be notarized? You can make a very strong case that it should be," he said.

Perhaps in the next few years you'll see a new face at the polling site — a Notary Public — with an electronic seal ready to ensure the integrity of democracy's most basic right.

We've come a long way from the days when a handful of voters gathered in the town square and shouted out votes while passing around a jug of strong drink. Despite the progress, many voting issues remain unresolved. [NNA](#)

Notable Dates In U.S. Election History



1789: George Washington is elected as the first U.S. President.

1819: Kentucky — the last state to use voice voting — switches to a paper ballot system.

1870: The 15th Amendment to the Constitution gives all male citizens the right to vote regardless of ethnicity. African Americans can vote for the first time.

1888: Massachusetts becomes the first state to completely adopt the use of “blanket ballots” where candidates from all parties are listed on a single ballot. Previously, states had used “party ticket” ballots, which only listed candidates from one party.



1918: During World War I, many states allow widespread use of absentee voting by soldiers. By 2007, all states permit absentee voting and several require absentee voters to sign their ballots in the presence of a Notary.

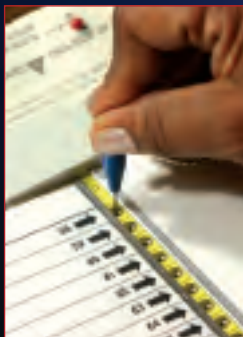
1920: The 19th Amendment gives women the right to vote.

1924: Calvin Coolidge, sworn into office by his Notary Public father in 1923 following the death of President Harding, wins the presidential election the following year.



1971: The 26th Amendment lowers the voting age from 21 to 18. Approximately 11 million new voters are enfranchised as a result.

2000: The extremely close presidential race between candidates George W. Bush and Al Gore leads to a contested recount in Florida, the final and deciding state in the election. The disputed vote tally draws national attention to flaws in the ballot counting process and issues with punch card ballots.



2002: The Help America Vote Act (HAVA) provides state funding to purchase newer and improved voting machines and advance election procedures. However, the adoption of electronic touch-screen voting ballots remains controversial.

2007: Experts suggest Notaries can help secure sensitive voting data and eVoting systems.



Losing The Paper Trail In The Wilds Of The Mortgage Industry

As sloppy recordkeeping plagues the secondary market, experts point to electronic transactions as a solution

In the story “Into The Wild,” Christopher McCandless was a young wanderer who met a tragic end when he trekked into the Alaskan wilderness alone. Experienced campers have criticized the 22-year-old idealist for refusing to bring a map or any other resources to navigate the isolated terrain. In hindsight it’s easy to understand how McCandless’ recklessness led to tragedy.

A similar recklessness permeated the recent boom-and-downturn cycle in the mortgage industry, during which countless loans were originated, sold and resold with little paperwork to guide the transaction safely — and with just as much potential for disaster — this time financial rather than physical.

Now experts warn that failure to prepare and file the necessary documents to track mortgages through numerous changes of ownership is causing serious problems for homeowners and industry

workers including Notary Signing Agents. As more mortgage records are lost or forgotten it creates a bewildering maze of transactions. The trend underscores the importance of thorough recordkeeping in the mortgage industry and among Notaries. Some observers warn of dire economic consequences if the lax practices continue.

MORTGAGES ... IN THEORY

The average borrower might assume that once the closing papers for a loan are signed, the mortgage process is finished. Nothing could be further from the truth.

The lion’s share of mortgages originated in the country end up in the secondary mortgage market, which means they are bought and sold — often multiple times — after they close.

Typically, a mortgage broker or small lender originates the loan on behalf of a larger bank. The bank then sells it to an even larger

financial institution — such as Fannie Mae, Freddie Mac or a Wall Street investment firm — which packages it with other, similar mortgages into a security that is sold on the open market.

In theory, extensive documents and transfer records are supposed to be prepared, signed and recorded each time a mortgage changes hands. The intent is to create a paper trail to the current mortgage owner and include information about any title, foreclosure or other issues that could affect the loan.

In practice, however, experts say this isn’t happening. The critical assignment records are being prepared sloppily or not at all. Instead, mortgages are sold and the paperwork is ignored or declared lost, with potentially disastrous financial consequences.

The post-2001 real estate boom was a golden period for the mortgage industry. In the rush to close deals, companies could easily lose track of the vast amounts of documents involved, said Lance Cassell, managing director of the Better Mortgage Bureau in Baltimore, Maryland.

“There’s been a huge amount

of mortgage activity over the past five years, and it's a paper-driven process," Cassell said. "A large number of mortgages isn't a problem if you have the tools to track ownership and paperwork. A large number of mortgages that aren't being tracked, however, is a problem."

Unfortunately, Cassell said, until recently the mortgage industry has been largely unregulated, and that's something that needs to change.

"Mortgage officers need to be licensed, trained and regulated," he said. "One of the biggest issues facing the mortgage industry is that there is no federal clearinghouse overseeing the industry, and it affects the way transactions are originated and tracked."

THE FALLOUT

Michael Sichenzia is one expert who has seen the consequences of this lack of oversight, on both sides of the law. Following his release from prison for mortgage-related fraud, he serves today as chief operating officer for Dynamic Consulting Enterprises LLC, a firm that helps detect and prevent fraud and financial misconduct. He describes a disturbing industry culture where negligence and misconduct are widespread, leaving lenders vulnerable to fraud and sometimes making it impossible to determine who owns the actual loan.

"The mortgage administration process is inherently flawed," he said. "When loans are sold, the actual paper never follows. Banks have been so eager to sell loans that they play fast and loose with the paperwork. No one picks up that there's a problem until ownership goes through four or five investors downstream, and they are left with the burden of tracing it back."

Dismissing the paperwork when loans are sold affects all levels of the industry, Sichenzia said, ranging from investors to Notary Signing Agents.

The casual, even sloppy approach to keeping tabs on loan documents is symptomatic of the larger issue of industry workers being pressured to fill the mortgage pipeline.

The pressure on Notaries to turn around

paperwork, for example, is immense, Sichenzia said. "Notaries receive a loan package two hours before an appointment for a signing. That's ridiculous."

Loan packages contain several documents, all requiring the borrower's signature, and everyone's package is different, he said. "The Notary Signing Agent is the foot soldier in the industry, but we give him no time to do his job and no turnaround time, and then he's paid \$50 to \$100. If someone then offers him \$500 to bend the rules, what do we expect? That kind of mistreatment is how guys like me were able to get away with fraud like we did."

Poor recordkeeping ripples through the industry. April Charney, a Florida attorney with Jacksonville Legal Aid, has helped several clients fend off foreclosures. In many cases, she said, the firms seeking foreclosure cannot prove they own the mortgage because they do not have proper documentation.

Charney predicts dire economic consequences if careless handling of mortgage assignments continues.

"Homeowners never know who owns their homes," she said. "The industry is so corrupt, there's no trust to be had. Who knows who owns what? It's a huge problem."

FINDING THE TRAIL AGAIN

The recent downturn of the mortgage market may be a wake-up call for the industry, forcing it to take a hard look at how it conducts business and keeps records — from underwriting loans to keeping track of who owns what.

Charney said the whole process needs to be more transparent. Mortgage assignments should be accessible to everyone involved, including homeowners. "Mortgage lenders and servicers are putting up Web sites to show what they are doing, but in many cases the sites are just skeletons," she said. "You can set up whatever system you want, but if the information isn't available to all the players who need it, the system won't work. All our land records are very arcane. We have to bridge that somehow."

The industry also needs to slow down the deal process, Sichenzia urged. "The emphasis has been on making the deals,"



he said. "We need to put the emphasis back on the quality of the paperwork being completed. Mortgage companies need to make sure people are in place who slow everything down; make sure the T's are crossed and the I's are dotted."

The development of secure, paperless transactions — in which all documents are created, signed, notarized and recorded electronically — may go a long way toward resolving the document dilemma.

"Electronic recordkeeping and the advent of electronic document technology could make a huge difference," Cassell said. "The biggest thing is that there needs to be accountability for those documents. Any time you

have a group of people willing to take responsibility for witnessing documents changing hands, such as a Notary affixing a seal on paper, it would help."

If Notaries are used to ensure the integrity of mortgage records, they must have the highest professional ethics ...

Electronic delivery would make transactions smoother, said Arkadi Kuhlmann, CEO of ING DIRECT, the nation's largest online direct bank. He described it as "lights out" processing — or the transfer of documents and files

with little or no human contact.

At the same time, if Notaries are used to ensure the integrity of mortgage records, they must have the highest professional ethics and standards, Sichenzia said.

"Background screening for Notaries is very important," he said. "We need ways to keep people who aren't responsible from sensitive positions. The Notary is the point guard for documents."

"We need to make sure that when a person wants to borrow money, they can. And when a lender wants to lend, he is able to," Sichenzia said. "But when they meet, we need to make sure it is memorialized in paperwork, such as by appearing before a Notary."

— David S. Thun

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THE REAL SEAL

By Kelly Rush
krush@nationalnotary.org

FOR ALL THE CREDIBILITY A NOTARY STAMP LENDS
TO TRANSACTIONS, IT'S ALL TOO EASY TO FAKE ONE

MICHIGAN NOTARY SHAWN ANN WESLEY regularly scopes out nooks and crannies in her office, moving her Notary stamp to a new hiding place every day.

"No one knows where I keep my stamps," Wesley said. Her employers and co-workers are in the dark, and that's how she likes it because she is ultimately responsible if her stamp is lost or stolen. And a lost stamp is a dangerous weapon.

But the precautions taken by conscientious individuals like Wesley may not be enough to safeguard the reputation of the venerable symbol of the American Notary office. All too often it is a central element in fraud schemes.

Law enforcement officials and leaders in the mortgage industry are quick to note that, with the proliferation of online office supply and stamp-manufacturing companies, it is much too easy for anyone to buy an unofficial Notary stamp that could easily pass as authentic.

Some states have very specific requirements for obtaining a seal. In California, for example, Notaries

must present a "certificate of authorization" issued by the secretary of state's office to a state-approved vendor ... and a copy of the certificate is not acceptable. Georgia prohibits the issuance of a seal unless the buyer presents a duplicate Notary commission.

Other states — Michigan and New York, for example — do not require a seal at all. Consequently, office supply stores in those states can make stamps for anyone who requests one. And then there's the Internet, where a credit card and the text to make it look real can get a seal sent anywhere in the country to anyone.

Underscoring that fact, a California-based editor for THE NATIONAL NOTARY, who is not a Notary, was able to purchase a Notary seal online for \$9.99. The name on the seal: C.R. Iminal of Smith County, Georgia.

Dozens of such companies do business online. While some require Notaries to mail in copies of their commissions in order to buy seals, many businesses don't specifically market themselves to Notaries, and have no such requirements.

Deputy Secretary of State Kevin Tyne said

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Arizona statute requires vendors to get a copy of a Notary's commission before issuing a stamp. Those who don't follow the law are guilty of a misdemeanor.

When apprised that a company is skirting the law, Tyne said the department issues a warning, regardless of whether the vendor is based in Arizona.

"We would make every effort to notify a company of our laws," Tyne said.

David Fleck, with the Los Angeles County District Attorney's Major Fraud/Real Estate Fraud Section, called Notaries "the bedrock of the real estate industry," in a report linking Notaries and fraud.

"Because [Notaries] place their official seals on grant deeds, deeds of trust and other documents necessary for the transfer of real estate, real property owners in this global economy can trust that their ownership interests and property rights are secure," he wrote.

With interstate — and international — commerce commonplace, individuals, businesses and governments, more than ever, need to be able to rely on the validity of the Notary seal. But criminals already have learned how easy it is to abuse them.

Last year, CNN uncovered a scam surrounding a group of Nigerian immigrants in Houston, Texas, who used a fake Notary seal as part of an identity theft conspiracy which bilked millions of dollars from local banks.

In another case, Missouri con artist Brent Barber bragged to the media about how easy it was to steal people's homes using a phony Notary seal. In 2006, he was sentenced to 12 years in federal prison for masterminding a \$19 million mortgage fraud scheme.

As federal, state and local authorities struggle to combat the \$4.2 billion-a-year mortgage fraud problem, Notaries increasingly are finding themselves right in the middle of the issue.

Ed Rybczynski, former owner and president of Baltimore, Maryland-based Liberty Title who spent time in federal prison for mortgage fraud, knows this firsthand.

"My own Notary abuse weighed heavily in my criminal investigation," said Rybczynski, who now travels around the country consulting and lecturing individuals on the dangers of mortgage fraud.

He said several factors contribute to the proliferation of fraud schemes. Among them: the complacency of settlement agents who abuse their Notary privileges and the ease with which people can obtain a Notary

commission or stamp.

Rybczynski specifically said there is too little training and fraud prevention education required for people applying for or renewing a Notary commission — an issue that the NNA has been addressing with various states for years.

Authorities and industry experts are seeking various remedies to make notarizations more secure and trustworthy.

One solution is holding stamp and seal manufacturers to a higher standard.

Ann Kauffold, operations manager at Michigan Office Supplies in Lansing, said stamp manufacturers should be required to obtain proof of a commission before creating a Notary stamp. She said the Internet allows people to pose as Notaries much more easily than they could in person.

"The Internet has so drastically changed everything," she said. "I can see where there would be the potential (for fraud) left and right; how easy it would be for someone to say 'I'm a Notary.'"

"The Internet has so drastically changed everything. I can see where there would be the potential [for fraud] left and right..."

Kauffold doubts stamp manufacturers would oppose stricter regulations.

"I wouldn't think the business community would want to be on record opposing something like that," she said.

Technological advances also are providing a workable solution to the problem of forged Notary signatures and fraudulent seals. The weakness of a system that trusts a mere typed title or ink stamp to be valid could be minimized by switching to electronic notarization, said Timothy S. Reiniger,

executive director of the National Notary Association.

eNotarization is safer and more secure than traditional paper notarizations because the documents are rendered tamper-evident after the Notary's electronic signature and seal are affixed. Interested individuals also can validate the Notary's signing credential in real time by checking an online registry.

For example, the NNA's National eNotary Registry™ allows state officials to instantly regulate, suspend or revoke the commission of an electronically capable Notary online and alert others regarding the electronic seal's validity.

"Secure eNotarization has the capability of becoming an effective, powerful fraud deterrent," Reiniger said. "In a system that relies on the validity of a Notary stamp, eNotarization is proving to be a more reliable, trustworthy method for authenticating documents." **NNA**



WITNESSES INCOGNITO

YOU MIGHT NOT KNOW IT, BUT PROTHONOTARIES, POLICE
AND JUSTICES OF THE PEACE HAVE THE POWER TO NOTARIZE

IT'S NOT HARD TO FIND A NOTARY PUBLIC IF you know where to look. You can find them at banks, mailbox centers and real estate offices. Stop in at a school, hotel or car dealership and you're likely to find a Notary on staff.

But there are Notaries in places you might not expect. Not all of them offer their services to the public — instead, their power to notarize is limited to performing special services. They're in courtrooms, behind the wheel of a police car or even in the halls of the Vatican. They are "Incognito Notaries" — unusual notarial officers. The public often doesn't know what they notarize and why, but they still provide a necessary service.

Many of these officials are what is known as "ex officio" Notaries. "Ex officio" is Latin for "from the office," meaning that they derive their authority to notarize documents because of the position they hold, but the scope of their notarial powers varies widely.

Some must obtain commissions and bonds in the same manner as Notaries Public, and have identical duties. Other ex officio Notaries may not require a commission or seal, but are limited to performing only certain notarial acts, such as administering oaths or affirmations. It depends greatly on why the person notarizes. Here are some examples.

LAW ENFORCEMENT OFFICERS

When you think of police, you think of car chases, shootouts and criminal investigations. But police work also involves filling out many forms. When making arrests or filing reports, law enforcement officers often must sign and swear to the truthfulness of statements regarding the incident. Some states grant police officers limited authority to perform notarizations to expedite their paperwork. For example, in Florida, police officers may administer oaths in the performance of their duties. Delaware and Louisiana give their officers

the authority to take acknowledgments and administer jurats, but only for police-related documents, and they may not charge for their services.

JUSTICES OF THE PEACE

The office of justice of the peace dates back hundreds of years, before the American Revolution. Originally these officials performed government administrative duties and presided over minor civil and criminal legal matters. As the United States grew and its legal system evolved, many of their duties were taken over by other branches of government and the judicial system. However, justices of the peace still can be found in a small number of states, particularly in the eastern United States, and often have powers akin to Notaries. Their roles differ significantly depending on the state.

In Delaware, justices of the peace are full officers of the court and have jurisdiction over civil cases involving amounts of \$15,000 or less, or certain misdemeanor cases. In New Hampshire, they not only acknowledge signatures and administer oaths like Notaries, they also may issue arrest warrants and solemnize marriages — something Notaries in the state cannot do. Elsewhere, they have been phased out or changed completely. Between 1981 and 1988, Notaries took over all the duties of justices of the peace in Maine — including the authority to perform marriages.

PROTHONOTARIES

There's a story that Harry S Truman described a prothonotary as "the most impressive-sounding political title in the U.S." Of course, when he actually met one in 1948 while campaigning in Pittsburgh, Pennsylvania, the first question the 33rd president asked was, "What the

hell is a prothonotary?"

The name is somewhat misleading, as a prothonotary is quite different from a typical American Notary Public. In some states, such as Delaware and Pennsylvania, a prothonotary (pronounced "pro-THAW-no-teh-ree") is the chief clerk of a court. While they may occasionally perform functions similar to a Notary — the prothonotary of the Delaware Superior Court, for instance, may take affidavits — in most cases their duties are primarily clerical.

Of course that's "clerical" as in filing and supervising court documents, but there's also an entirely different form of clerical prothonotary. In the Roman Catholic Church, a prothonotary is a high-ranking church prelate. In Rome, prothonotaries perform duties relating to papal documents and award doctorates of theology and canon law. The office goes back centuries and is said to have evolved from a council of seven Notaries appointed by Pope Clement I to record the acts of martyrs. Today, a council of 12 prothonotaries (called the "prothonotaries apostolic") is responsible for registering papal acts, records of the canonization of saints and other records of exceptional importance.

SERVING THE PUBLIC

While these and other less-known notarial officers have colorful duties and histories, an important point to remember is, with few exceptions, they do not perform notarial acts for the general public in the course of their duties. That role falls to an equally important officer — the Notary Public. A Notary Public may not necessarily wear a prelate's collar, a judge's robe or carry a badge — but when citizens need a document notarized, the Notary Public is there to serve the people that some of his more exotic and less well-known colleagues don't. [NNA](#)



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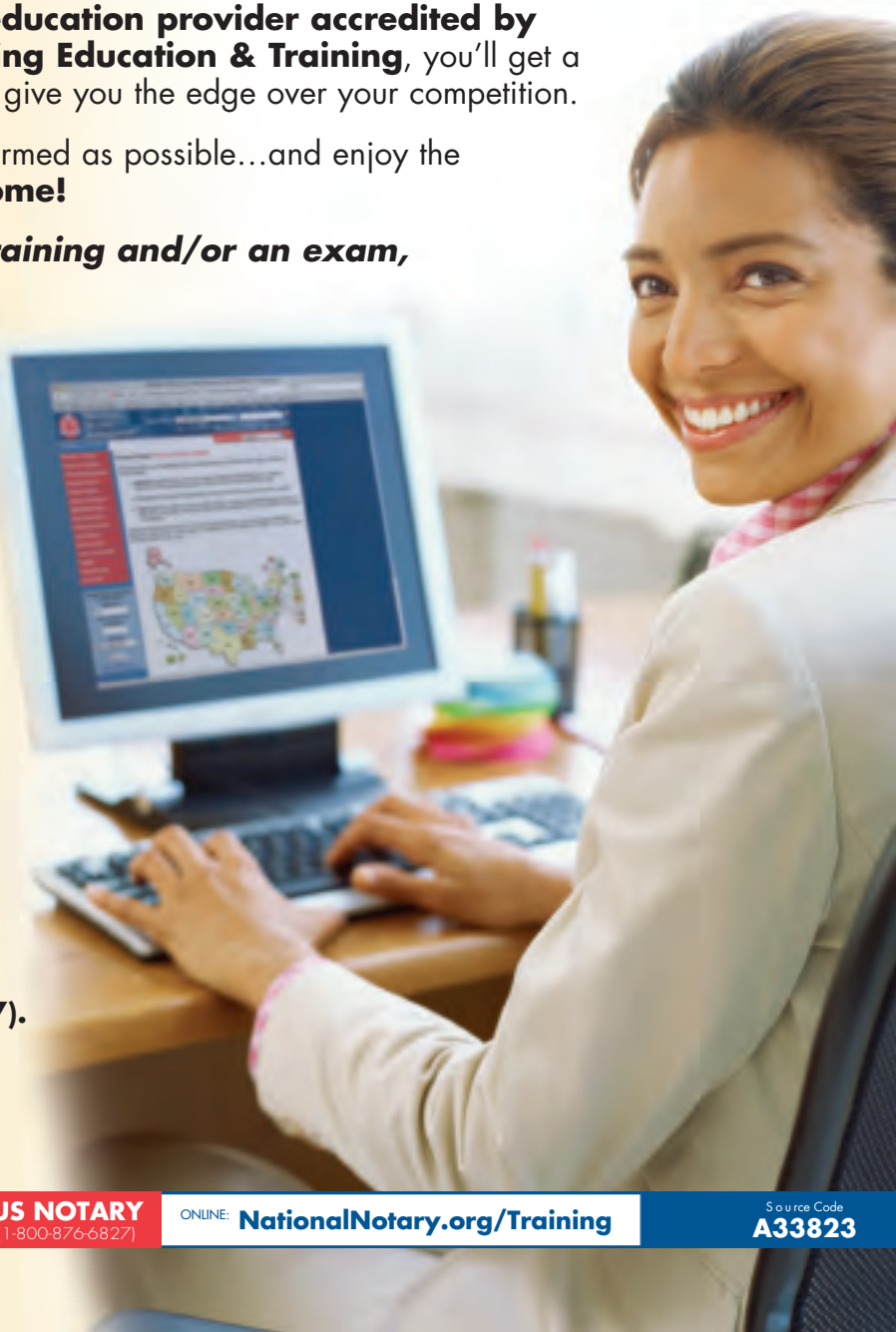
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Notarizing Documents: What You Can And Cannot Do

THE FINE LINE BETWEEN BEING HELPFUL AND THE UNAUTHORIZED PRACTICE OF LAW ISN'T ALWAYS OBVIOUS AND NOTARIES NEED TO BE CAREFUL.

NOTARIES CAN: EXPLAIN THE FUNCTION OF EACH NOTARIAL CERTIFICATE

A document doesn't always contain preprinted notarial wording, and a signer often doesn't know what an acknowledgment or a jurat is. It is perfectly legal for the Notary to explain what each one accomplishes and what the differences are between the two. This allows the signer to make an accurate judgment as to which certificate is needed.

NOTARIES CAN'T: ANSWER QUESTIONS ABOUT A DOCUMENT

Unless the Notary is an attorney or other licensed professional in a pertinent field, he or she may never answer any questions about a document because that is considered the unauthorized practice of law. Those inquiries need to be directed to the document's receiving agency.

NOTARIES CAN: MAKE CHANGES TO THE NOTARIAL CERTIFICATE

When the notarial wording is preprinted on the document, it's sometimes incorrect. For example, it may have the wrong state and/or county listed. It's acceptable for the Notary to line through any incorrect information on the certificate, write in the appropriate information, and initial and date the correction.

NOTARIES CAN'T: CHOOSE THE NOTARIAL WORDING

When there's no preprinted wording, Notaries often are asked: "Do I need an acknowledgment or a jurat?"

The answer is always the same: The signer must choose.

The Notary cannot decide, or even suggest, which certificate to use. Doing so constitutes the unauthorized practice of law. If the signer isn't certain which certificate is needed after the Notary explains the differences, then the signer should contact the document's receiving agency to find out which certificate is applicable.

NOTARIES CAN: FILL OUT THE NOTARIAL CERTIFICATE

Actually, not only can a Notary fill out the notarial wording, but he or she must be the only one allowed to do so. Whether preprinted on the document or on a loose certificate, the notarial wording is the Notary's responsibility.

NOTARIES CAN'T: FILL OUT THE DOCUMENT

When notarizing a document, it is a Notary's responsibility to skim it to ensure no blanks are contained in the text. If there are, however, it is the signer's responsibility to fill in those blanks in some capacity, whether it be with specific information or writing in "n/a" or "not applicable." If the signer is uncertain what information needs to be filled in, he or she must contact the document's receiving agency.

NOTARIES CAN: ATTACH A LOOSE NOTARIAL CERTIFICATE IF NEEDED.

Sometimes a document does not contain any preprinted notarial certificate wording. In such cases, once the signer has determined what kind of notarization is required, the Notary may attach a loose certificate with appropriate wording to the document in order to complete the notarization.

WHAT EVERY SUCCESSFUL NOTARY HAS ON THEIR DESK STATE 'NOTARY LAW PRIMERS'

Knowledge of your state's Notary rules and regulations will help you perform your duties with greater efficiency and accuracy. Your state "Notary Law Primer" gives you the know-how to carry out any notarial act with ease and confidence. In easy-to-understand terms, you'll get the practical guidance you need.

Includes all the laws that regulate Notaries in your state and a reprint of the official state Notary handbook.

- Requirements for every notarial act
- How to identify signers
- Certificate wording for every notarization
- Wording for oaths
- Record, seal and bond requirements
- How to renew your commission



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Massachusetts Item #5146
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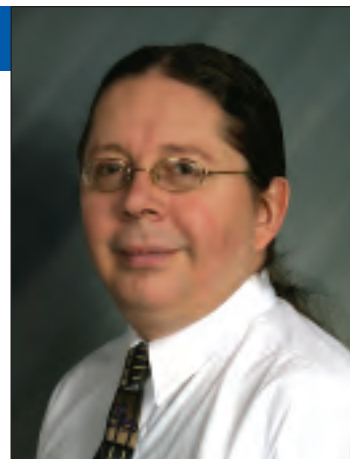
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Missouri Item #5122
Nebraska Item #5147
Nevada Item #5134
New Hampshire Item #5151
New Jersey Item #5131
New Mexico Item #5145
New York Item #5125

North Carolina Item #5129
Ohio Item #5141
Oregon Item #5128
Pennsylvania Item #5136
Tennessee Item #5142
Texas Item #5123
Utah Item #5127
Virginia Item #5150
Washington Item #5124

More states coming soon.

Our Recommendations May Evolve As The World Changes

By Mel Prescott
NNA Hotline Counselor
mprescott@nationalnotary.org



Notary regulations and statutes often do not address every aspect of notarization, so we rely on best practices, integrity, ethics and common sense to maintain notarial professionalism.

Accordingly, the NNA is constantly re-assessing its best practice recommendations on a number of notarial issues.

Over the years I have participated in many of these re-evaluations and, most recently, we have re-examined and vetted our recommendation on the Notary's role in the execution of last wills and testaments.

Due to the great potential liability, in the past we advised Notaries to avoid such documents entirely unless their participation was expressly directed by an attorney. However, in today's world of Internet legal advice, we decided to be a bit more flexible, as revealed in a recent call from **J.S. from Tucson, Arizona:**

Is there anything special that should be known and done with a will?

Before notarizing a will, it is always a good practice for you to inquire whether the signer is carrying out the instructions of an attorney to ensure the will was made in accordance with state laws that are typically very strict regarding format and witnessing rules. If the signer does not want to involve an attorney and still wants to proceed with the notarization, you may want to remind the individual that: 1) notarization does not make an improperly drafted will "legal"; 2) any variation from the strict statutory rules dictating the format and execution of a will may invalidate it; and 3) certain wills may actually be voided by notarization. As with any notarization, if notarial wording is not provided to you, you should not notarize.

And you should never proceed if the would-be testator is asking you questions about the so-called will.

When I do a loan closing, do I need to use a new line in my journal for each notarization in the package? Or can I just fill out a single line in my journal and describe it as "loan documents?"

P.K., Cincinnati, Ohio

Although not required by law in Ohio, except for recording notarial protests, we recommend all Notaries keep a detailed, accurate and sequential journal of all notarial acts. When notarizing loan documents, each signature notarized is considered a separate transaction and as such, should be listed individually in your Notary journal.

Can I renew my Notary commission if I am convicted of a felony?

N.H., Diamond Bar, California

According to California state law (Government Code, Section 8214.1), the secretary of state may refuse to appoint any person as a Notary Public or may revoke or suspend a commission based on a variety of grounds, including a felony conviction. You are required to disclose any felonies, convictions and arrests on your application, but it is up to the secretary of state's discretion as to whether the commission will be granted. Remember, however, that all Notaries in California are required to be fingerprinted as part of a background check.

You can reach Mel and all our experienced Notary Hotline counselors at

1-888-876-0827

5 a.m. to 5 p.m. PST Monday through Friday.

Hotline answers are based on laws in the state where the question originated and may not reflect the laws of other states. If in doubt, always refer to your own state statutes.

— The Editors



Unwittingly Handing It Over On A Silver Platter

Identity thieves spend a lot of time and effort prospecting for new victims, but there is at least one situation where they could be laying in wait, in plain sight, because you

conveniently come to them: the computer repair shop.

A rogue repair tech is like a crocodile with its mouth wide open, just waiting for unsuspecting prey to wander by. A fully loaded computer often is a treasure trove containing credit card and bank numbers, birth dates and, the *crème de la crème* for ID thieves, a Social Security number.

Recently, technicians at a major electronics retailer in California were accused of downloading private photographs and music off computers that were brought in for repair without the knowledge of their customers.

Taking personal data off someone's computer without the owner's consent is a felony called "computer hacking and intrusion." It can earn its perpetrator three to seven years in prison. Any personal information on a computer is private and protected property.

While the pilfering of photographs and music would most likely be handled by local law enforcement, said Special Agent Kenneth E. Smith, spokesman for the FBI, stealing financial information like Social Security numbers is a different matter.

"If there was information such as Social Security numbers taken it could very well be an FBI matter, because that gets into the area of identity theft. Stealing Social Security numbers and/or birth dates, is very serious," Smith said.

One way to protect your information is to avoid, when possible, picking out a computer repair service cold. Instead, ask friends and colleagues for referrals. It's not

a perfect science, but it's a far better option than opening up the phone book and rolling the dice.

"If you're worried about your information being compromised, have an on-site tech come to you. It might cost more, but at least you'd have the peace of mind that you want," said Joe Saghezi, owner of Planet Cyber in Canoga Park, California. Even if you may not understand what the tech is doing, the tech doesn't know that for a fact. Think of it as the "scarecrow effect," Saghezi said.

Another option is to keep personal information off your computer while it's being serviced. If it's working sufficiently, simply copy sensitive files to a CD or external drive and then delete them from the hard drive before having the computer repaired. Once the computer is fixed, the files can be re-installed. Don't forget to delete everything from the recycle bin.

Of course, there may be no reason to keep sensitive financial information on your hard drive in the first place, noted Thomas Gonzales, operational manager and head technician for Planet Cyber. Any information you want to hide from prying eyes can be stored on a CD or external drive and accessed as needed. That way, if your computer crashes, you don't have to worry about an ID thief getting your information.

"Anytime you have personal information on your computer, whether it's your date of birth, Social Security number or tax information, you always have to be cautious," Smith said.

"We make a living by what we get, but we make a life by what we give." — Winston Churchill



Volunteering: A Gift That Rewards Everyone

Ray Kroc, the founder of the world-famous McDonald's Restaurant chain, had a saying about aiding other people: "The more I help others to succeed, the more I succeed."

It's an idea that millions of Americans are taking to heart. Last year, the Bureau of Labor Statistics reported that more than 61 million Americans volunteered 8.1 billion hours of their time for activities such as community service, youth programs, hospital work and fund-raising for charity. All those hours are worth \$152 billion, estimates the Corporation for National & Community Service (CNCS).

There are many reasons people volunteer their time. Some passionately believe in a cause. Others take pride that they are making a difference in the lives of the less fortunate.

Regardless of the motive, volunteering is a great way to help others. The best part is ... anyone can find something useful to contribute. People who are good with children can tutor needy kids or help coach a softball or basketball team. A good cook can organize a bake sale or dinner to raise funds for charity. Very few charitable organizations will turn away volunteers willing to do mundane tasks necessary for charity fundraisers.

A great thing about volunteering is it's flexible. Whether it's an hour a day or an hour a month, every moment you're willing to give helps. While an hour of volunteer work is worth \$18.77 in real money, according to the CNCS, that hour is worth so much more to the people receiving assistance.

At the same time, even the

most public-spirited people can get overwhelmed by hectic schedules. For those with no time to spare to give, donating to a worthy cause is an easy way to lend support. The National Notary Foundation, for example, donates 100 percent of all contributions to causes such as education, cancer research and disaster relief.

Whether it's through a donation of time, effort or funds, we would all do well to follow Ray Kroc's advice.

'It's Very Rewarding To See You've Made A Difference'

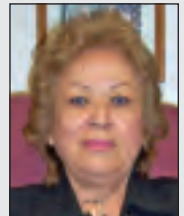
Notary Priscilla Rocha has seen firsthand the rewards of volunteering her time. As a fourth grade teacher in Las Vegas, Nevada, she overheard her students talking about the thrill of joining gangs.

Determined to steer them away from trouble, she raised money to start a dance class for her students and took them on outings to help with neighborhood cleanups, fostering a spirit of giving back to the community on her own time.

Today, Rocha says, one of her biggest rewards is seeing where those at-risk students are as adults. One is an intern for a U.S. senator, another owns an insurance agency and others are starting their own businesses.

"It's very rewarding to see that you have made a difference in people's lives, that you have done something to help others be successful," Rocha said. "You are part of something special, something greater than yourself."

Rocha's husband once asked her why she stayed so late every day after school working on volunteer efforts. She replied, "It makes me feel better to know even though I come home two hours later, I helped someone's life."



Priscilla Rocha

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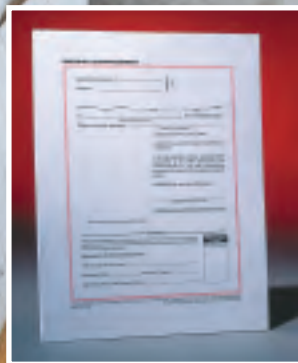
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 - Corporate Acknowledgment — #5937
 - Partnership Acknowledgment — #5938
 - Attorney in Fact Acknowledgment — #5939
 - Credible Witness Acknowledgment — #5943
 - Signature-by-Mark Acknowledgment — #5945
 - Proof of Execution by Subscribing Witness — #5944
 - Copy Certification by Document Custodian — #5946
 - Copy Certification by Notary — #5922
 - Jurat with Affiant Statement — #5924

- Arkansas:** (8 1/2" x 11")
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 - Proof of Execution by Subscribing Witness — #5948
 - Copy Certification by Notary — #5949
 - Jurat with Affiant Statement — #5950

- California:** (8 1/2" x 11")
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 - Jurat with Affiant Statement — #5910
 - Copy Certification by Document Custodian — #5911
 - Proof of Execution by Subscribing Witness — #5908
 - Copy Certification of Power of Attorney — #5242

- Florida:** (8 1/2" x 7")
- Individual Acknowledgment — #5181
 - Corporate Acknowledgment — #5182
 - Official/Trustee Acknowledgment — #5185
 - Partnership Acknowledgment — #5183
 - Attorney in Fact Acknowledgment — #5184
 - Signature-by-Mark Acknowledgment — #5931
 - Disabled Person's Acknowledgment — #5933
 - Certification of Photocopy — #5187
 - Jurat — #5186
 - Signature-by-Mark Jurat — #5930
 - Disabled Person's Jurat — #5932

- Hawaii:** (8 1/2" x 7", unless noted)
- All-Purpose Acknowledgment — #5921
 - Individual Acknowledgment — #5936
 - Credible Witness Acknowledgment — #5943
 - Signature-by-Mark Acknowledgment — #5945
 - Copy Certification by Document Custodian — #5946
 - Jurat with Affiant Statement (8 1/2" x 11") — #5924

- Massachusetts:** (8 1/2" x 11")
- All-Purpose Acknowledgment — #5951
 - Signature Witnessing — #5953
 - Jurat — #5952
 - Copy Certification by Notary — #5922

- Missouri:** (8 1/2" x 11")
- Acknowledgment by Individual — #5936
 - Acknowledgment by Corporation — #5937
 - Acknowledgment by Partner — #5938
 - Acknowledgment by Attorney in Fact — #5939
 - Acknowledgment by Individual Who Cannot Write Name — #5940
 - Acknowledgment Through Affidavit of Executing Witness — #5941
 - Certification of Facsimile — #5942
 - Jurat with Affiant Statement — #5924

- Nevada:** (8 1/2" x 7", unless noted)
- Individual Acknowledgment — #5915
 - Attorney in Fact Acknowledgment — #5927
 - Representative Acknowledgment — #5917
 - Credible Witness Acknowledgment — #5918
 - Proof of Execution by Subscribing Witness — #5919
 - Copy Certification by Document Custodian — #5946
 - Copy Certification by Notary — #5920
 - Jurat with Affiant Statement (8 1/2" x 11") — #5924

- New York:** (8 1/2" x 7", unless noted)
- All-Purpose Acknowledgment — #5925
 - Proof of Execution by Subscribing Witness — #5926
 - Copy Certification by Document Custodian — #5946
 - Jurat with Affiant Statement (8 1/2" x 11") — #5924

- Texas:** (8 1/2" x 7", unless noted)
- Ordinary (Individual) Acknowledgment — #5243
 - Credible Witness Acknowledgment — #5943
 - Signature-by-Mark Acknowledgment — #5945
 - Proof of Execution by Subscribing Witness — #5944
 - Copy Certification by Document Custodian — #5946
 - Copy Certification by Notary — #5922
 - Jurat with Affiant Statement (8 1/2" x 11") — #5924

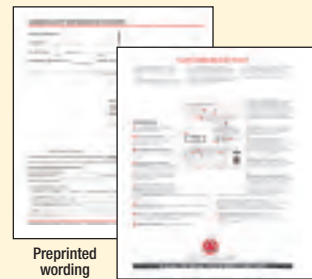
- Washington:** (8 1/2" x 11")
- Individual Short-Form Acknowledgment — #5906
 - Representative Short-Form Acknowledgment — #5905
 - Disabled Person's Acknowledgment — #5904
 - Copy Certification by Document Custodian — #5923
 - Copy Certification by Notary — #5922
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TYPICAL CERTIFICATE USES:

Acknowledgment, All-Purpose: The only acknowledgment wording for California. Used in place of all other acknowledgment certificates. An option for Hawaii and New York Notaries.

Acknowledgment, Attorney in Fact: For a person signing as an attorney in fact on behalf of another individual not appearing before the Notary.

Acknowledgment, Corporate: For a person signing on behalf of a corporation as president, vice president, treasurer, secretary or other officer.

Acknowledgment, Credible Witness: For a document signer (appearing before the Notary) identified by a third party who is personally known to the Notary.

Acknowledgment, Disabled Person: For Notaries signing on behalf of a disabled individual as provided for by state law.

Acknowledgment, Individual: For persons signing on their own behalf.

Acknowledgment, Individual Short-Form: For persons signing on their own behalf; Washington only.

Acknowledgment, Officer/Trustee (Representative): For a person signing as a public official or trustee (or representative).

Acknowledgment, Partnership: For a person signing as a partner on behalf of a partnership.

Acknowledgment, Representative Short-Form: For a person signing in a representative capacity (corporate officer, partner, trustee or attorney in fact); Washington only.

Acknowledgment, Signature-by-Mark: For a person who must sign with a mark. Requires two witnesses in addition to the Notary.

Copy Certification by Notary (Certification of Photocopy): For Notaries attesting to the accuracy of a copy.

Copy Certification by Document Custodian: For use in states that prohibit Notaries from certifying copies. Document owner (custodian) certifies copy.

Jurat: For documents requiring oaths and Notary-witnessed signatures. Contains the jurat wording, "Subscribed and sworn to (or affirmed) before me. . . ."

Jurat, Disabled Person: For Notaries executing and signing an oath on behalf of a disabled person. Florida only.

Jurat, Signature-by-Mark: For documents requiring oath by a person who must sign with a mark. Florida only.

Jurat with Affiant Statement: Provides space for signer to type or print his or her own statement along with jurat wording.

Proof of Execution by Subscribing Witness: For a person who has witnessed the signing of a document by an individual who cannot appear before the Notary.



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MAIL OR FAX: COMPLETE THE ORDER FORM ON PAGE 49 **A33823**