

July 2018

# The National NOTARY®

NationalNotary.org

## IN THIS ISSUE

- 15 Notary Expert Michael Closen Highlights Common Mistakes, Best Practices
- 18 2018 Notary Of The Year Jeannette Ramcharan
- 20 Remote Notarization: What You Need To Know

## Your Guide To **Building A Successful Notary Business**





Enjoy your member benefit,  
**Downloadable  
Notary  
Certificate  
Forms**



**Unlimited Access to the NNA Hotline**  
Get answers to all of your questions from Notary experts, when you need them.



**The National Notary Magazine**  
Your bi-monthly magazine provides you with how-tos, news and in-depth information to guide you on your path to success.



**New Law Alerts**  
When your state's Notary laws change, how you notarize must also change. NNA New Law Alert emails keep you in the know and help you stay compliant.



**Monthly Membership Newsletter**  
Keeps you informed of proper Notary procedures and gives you tips on how to handle common and uncommon types of notarization.



**Downloadable Notary Certificate Forms**  
Always up to date. Download your state's most common certificate forms at any time.

**DOWNLOAD FORM FOR FREE**



Be prepared for any notarization with professional Notary certificate forms that you can download for free. These certificate forms are a great way to save time and money. Just print the forms you need to fulfill your clients' requests.

Take advantage of this and all your member-exclusive resources to help you thrive in your role as a Notary.

National Notary Association

NationalNotary.org/My-NNA  
1-800-876-6827



**Online Notary Reference Manual**

Access all your state's requirements with the U.S. Notary Reference Manual available online.



**Exclusive Member Badge Privileges**

Display your NNA Member badge and use it to identify yourself as a trusted NNA member. Download today!



**Money-Saving Discounts**

Save big on everything from shipping, copying and tax services to groceries, major retailers and movie tickets.



**Online How-To Guides**

Use our top Notary how-to guides to get and stay sharp. Access our online resources *Sorry, No Can Do!* and *The Complete How-To Guide for Notaries* anytime.



**The Notary Bulletin**

Our online news publication, updated weekly with the latest news, tips and trends for the Notary industry.



**NATIONAL  
NOTARY  
ASSOCIATION**



**MILT VALERA** Chairman

**THOMAS A. HEYMANN** President and Chief Executive Officer

**DEBORAH M. THAW** Vice Chair and Executive Vice President

**ROB CLARKE**  
Vice President and  
Chief Financial Officer

**DAVE STEPHENSON**  
Vice President and  
Chief Information/Technology Officer

**JULIE HERTEL**  
Vice President, Human Resources

**WILLIAM A. ANDERSON**  
Vice President, Government Affairs

**THOMAS K. HAYDEN**  
Vice President, Marketing

**STEVEN BASTIAN**  
Vice President, Product Management

**CHRIS STURDIVANT**  
Vice President, Business Development

**KELLI BARABASZ**  
Vice President, Customer Care

**PHILLIP BROWNE**  
Vice President, Communications

**THOMAS A. HEYMANN**  
Executive Publisher

**PHILLIP BROWNE**  
Editorial Director

**MAGGIE SOLDANO**  
Creative Director

**THOMAS HAYDEN**  
Advertising Director

**MICHAEL LEWIS**  
Managing Editor

**DAVID S. THUN**  
Associate Editor

**MOSES KESHISHIAN**  
Social Media Manager

**KAT GARCIA**  
Content Strategist

**CINDY MEDRANO**  
Social Media Coordinator

**KELLY RUSH**  
Contributing Editor

**NELS RAMOS**  
Senior Graphic Designer

**DANIEL LAVENTURE**  
Lead Designer

**JAN BRATSLAVSKY**  
Graphic Designer

**SHERYL TURNER**  
Copy Editor

**VANESSA SANTANA**  
Mail Coordinator

**MILT VALERA**  
Founding Editor and Publisher

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

## NNA® HOTLINE (888) 876-0827

Hotline@NationalNotary.org  
Monday–Friday 5 a.m.–7 p.m.  
Saturday 5 a.m.–5 p.m.  
Bitly.com/NNALHotline  
Answers to your questions about notarization

## CUSTOMER CARE (800) 876-6827

Services@NationalNotary.org  
NationalNotary.org  
Service on membership, supplies, insurance, training

## TRUSTED NOTARY (877) 876-0827

TrustedNotary@NationalNotary.org  
NationalNotary.org/Business  
Supplies, training, insurance and compliance programs for businesses

## SIGNING PROFESSIONALS

### SIGNINGAGENT.COM

(800) 876-6827  
For mortgage finance companies seeking a qualified professional to facilitate loan signings

## NATIONAL NOTARY FOUNDATION

Bitly.com/NNFoundation  
Make a difference in philanthropic causes

## SOCIAL MEDIA

NationalNotary.org/SocialMedia

9350 De Soto Avenue  
Chatsworth, CA 91311

(800) US NOTARY  
(800) 876-6827  
NationalNotary.org

(818) 739-4000  
(818) 700-1942 fax

Publications@NationalNotary.org  
NationalNotary.org/Bulletin  
Article submissions, feedback, letters

## OUR CORE VALUES

The National Notary Association serves its membership by promoting five essential core values that empower and protect Notaries when they assume their responsibilities of the office and perform their official notarial acts.

Our Core Values of Membership promote:

- **Compliance** with state laws and regulations
- **Liability Protection** for Notaries, signers and employers
- **Risk Management** to reduce fraud and identity crimes
- **Professionalism** with reliability, competence and integrity
- **Opportunities** to increase earning potential

The National Notary (ISSN 0894-7872), July 2018 Vol. LVIII, No. 4, is published bimonthly by the National Notary Association, 9350 De Soto Ave., Chatsworth, CA 91311, a non-profit organization, to educate Notaries about the legal, ethical and technical facets of performing notarial acts and to instill in them a sense of self-respect and professional pride in their important role of public servant. • ALL RIGHTS RESERVED. Reproduction in whole or in part without the express written permission of the publisher is prohibited. • SUBSCRIPTION to all NNA members in the United States and its possessions comes out of their \$59 annual dues. International subscriptions are \$76 annually. Six dollars of membership dues are designated for a one-year subscription to the publications. • For address changes, send new and old addresses including ZIP code, suite or apartment number, and mailing label, if possible, to the NNA. PERIODICALS POSTAGE paid at Chatsworth, CA, and at additional mailing offices. • POSTMASTERS: Please send address changes to Customer Service, 9350 De Soto Ave., P.O. Box 2402, Chatsworth, CA 91313-2402.



## TABLE OF CONTENTS

## FEATURES

# 15

### Notary Expert Michael Closen Highlights Common Mistakes, Best Practices

*NNA Staff*

Michael Closen, Professor Emeritus at The John Marshall Law School in Chicago, Illinois, and one of the foremost experts on Notary law in the United States, has consulted as an expert witness on Notary issues in scores of court cases. He recently sat down with *The National Notary* to discuss Notary best practices and the common mistakes that land Notaries in trouble.

# 18

### 2018 Notary Of The Year Jeannette Ramcharan

*Cindy Medrano*

At the age of 38, both Jeannette Ramcharan and her mother were diagnosed with breast cancer. They relied on each other's strengths to go through treatment and fight to get better. But Ramcharan noticed that many other patients were alone and afraid. That experience inspired her to dedicate considerable time and energy to helping others.

# 20

### Remote Notarization: What You Need To Know

*Michael Lewis*

As more states pass laws authorizing remote notarizations, the practice continues to raise questions. What is it? Where can it be performed? Who can request it? Can I perform it? What training do I need? What technology is needed? Here are answers to your most common questions.

## COVER STORY

# 10

### Your Guide To Building A Successful Notary Business

*David Thun*

Building a business is a lot like sending a rocket to the moon. They both take careful planning, patience and hard work to succeed, and you don't succeed all at once — you have to make the journey in stages. One of the most important keys to success as a Notary entrepreneur is finding and growing a diverse customer base. The most experienced mobile Notaries all say that having many types of clients helps them keep business going during economic downturns. But figuring out where to find customers and how to introduce yourself to them can be daunting. So *The National Notary* asked members of our community across the country to share their experiences, suggestions and successful marketing strategies.

### 13 5 Tips For Marketing Your Services

## DEPARTMENTS

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



### Signing Agent Liability Due To Notarization Error

**NOTARY SIGNING AGENTS IN THE NNA'S NSA DISCUSSION GROUP on LinkedIn helped Rebecca L. Adams, CNSA, with a scenario she presented. Rebecca asked, "What is the Notary's liability when the loan does not fund due to Notary error? The Notary missed several key documents, got them executed and sent the next day, but they did not arrive in time."**

"There is potential liability and realized liability. Potentially, they could ask that the Notary pay for a rate lock extension fee, not want to pay the Notary and/or make it so the Notary will not receive any more of their work. Realistically, they may not want to pay the fee. I have not heard of anyone being asked to pay large sums of money for this type of issue. I am sure there has been some."

**John Axt, Tomball, TX**

"I would check with your E&O insurance company, but wait first for the demand for payment. Since you will not be getting any more work from this escrow company, I would not be too concerned. The loss of future business is more than enough penalty to learn that you will not miss anything in the future."

**Attila Csupo, Los Angeles, CA**

"I tell my students all the time that it's not the error that the hiring company will remember but how

graciously you accept responsibility for the mistake and how quickly you resolve the problem. However, even though none of us are perfect, there is no excuse for missing some major documents, and the penalty may be severe. I advise telling the borrowers that you will need 5 to 10 minutes to double-check the documents before you leave the home and you must triple-check the documents before shipping them. So far not one of my students have had their E&O insurance compromised. I do not want to come off as being unforgiving, but missing several key documents is just plain sloppy, and the penalty should be severe if they caused a loan to not fund."

**Carol Ray, Sacramento, CA**

"I cannot imagine a Notary being ordered to pay potentially thousands of dollars for a rate lock extension for missed documents on a signing for which he or she is being paid \$100 or so. If there is truly that type of liability then the pay should be much higher. I have, however, seen contracts sent by signing companies that did stipulate that the Notary would be liable for rate lock extensions if he/she was deemed at fault for a loan not closing. I would never sign such a contract. Why would anyone?"

**Steve Shapiro, Irvine, CA**

"If I get the documents early enough, I always go through them before my appointment. If I see an error, I will call the title company right away and fix it before I go. I will also double-check all documents after the borrowers have signed. I will even check them again before I put them in FedEx. Three times is a charm. For purchase closings, I always bring a checklist of what I need to collect at the closing. These methods have worked for me for 13 years. I have never had to re-sign a loan and have had no complaints."

**Deanna T. Hopper, Schenectady, NY**

"A friend of mine used her E&O to cover all expenses due to lock extension."

**Laurie Rangel, DTM, Cottonwood, AZ**

"I'm not sure how to calculate the liability amount. I guess that would have to be up to the lender or title. I will say this, if the errors were notarial in nature — meaning on the Notary certificate — then Notary E&O would come into play. If the errors occurred on the Closing Disclosure, Notice of Right to Cancel or other documents that didn't require notarization, then Signing Agent E&O would cover those errors. Please note I'm not an attorney, and this should not be construed as legal advice."

**Michele Riley, Huntsville, AL**

## Lessons Learned From Starting A Notary Business

**MEMBERS OF THE NNA'S COMMUNITY** shared their ups and downs about getting their businesses off the ground.

"Sunday is another work day and a little closer to the other work day we call Monday. But I don't mind because I think working on a Sunday gives me a competitive advantage."

*Reginald Duval, Lawton, OK*

"You need to be better at marketing and selling yourself than others, or you will lose business to those who are. There are a lot more Notaries out there than I ever suspected a year ago when I became a Notary, and many give up too easily and quit in the face of competition. Those who succeed never stop getting their names out in public



places and various forums. Everyone passed the same exams, but not everyone knows how to win Notary signings. It takes a lot of work, savvy, salesmanship and persistence."

*Jerry Bransford, Escondido, CA*

"It's a business and you must treat it as such with marketing and planning a top priority. I've also learned to keep my car in

top shape and the gas tank full. Where I live, a last-minute job can be over an hour away. Lastly, if you are in a position to change things with constructive criticism, then do so."

*Linda Tracy, Grand Junction, CO*

"Don't wait until the last minute to renew your commission, background check or NSA certification."

*Vicky Cano, Stockton, CA*

**Join our online communities and interact with the NNA and Notaries everywhere!**



[facebook.com/nationalnotary](https://facebook.com/nationalnotary)



[linkedin.com/company/national-notary-association](https://linkedin.com/company/national-notary-association)



[twitter.com/nationalnotary](https://twitter.com/nationalnotary)



[plus.google.com/+nationalnotaryorg](https://plus.google.com/+nationalnotaryorg)



[instagram.com/nationalnotary](https://instagram.com/nationalnotary)



[pinterest.com/nationalnotary](https://pinterest.com/nationalnotary)



[youtube.com/nationalnotary](https://youtube.com/nationalnotary)



[yelp.com/biz/national-notary-association-chatsworth](https://yelp.com/biz/national-notary-association-chatsworth)

## Challenges In Today's Marketplace

**WE ASKED NOTARIES TO WEIGH IN** on some of the issues they encounter on a regular basis.

"Lowball fees offered when they want us to drive more than 15 miles one way, full scan backs, print out large packages, plus any additional services without additional fees. Signing services or title companies that make errors but want to blame the Notary."

*Gail Bowden Manchur, Tigard, OR*

"Customers who request notarization of their Verification of Life documents to continue receiving their foreign pension

checks. They become very irate and state 'I'm standing here, you can see I'm alive.' But Michigan statute clearly states that Notaries are unable to verify that someone is alive. Uneducated Notaries who are trying to be helpful make it more difficult for the Notaries that are following the MI Notary statutes."

*Christine Wissbrun, Rochester Hills, MI*

"People who do not answer their phone, reply to a text or provide a landline number making it impossible to text. This makes it impossible to confirm appointments with a signer."

*Reginald Duval, Lawton, OK*



### Notaries Cling To New Privacy Guard



**PROTECTING YOUR SIGNERS JUST GOT easier.** We unveiled our new Notary Privacy Guard® Cling that better protects the confidential information in your Notary journal at **NNA 2018** in Las Vegas — and it was such a hit that we sold out of the stock we had on hand very quickly.

The Notary Privacy Guard® Cling helps you comply with federal privacy regulations within several professional industries, including the Health Insurance

Portability and Accountability Act (HIPAA) in the health care industry and the federal Red Flags Rule and Gramm-Leach-Bliley Act (GLBA) within the financial industry, among others.

This privacy-protecting tool is made of a sturdy, lightweight vinyl that lays flat across your journal pages, allowing it to lightly cling to the pages for ease of use. It's compatible with all NNA journals excluding Hawaii and Illinois.

### Meet Us In St. Louis In May

**NEWS THAT THE NNA 2019 Conference is being held in St. Louis, Missouri, was met with great excitement when announced by NNA President and CEO Tom Heymann during the Closing General Session of the sold-out 2018 edition of the Notary Event of the Year. This is the second time the Conference is being hosted in St. Louis, home of the Gateway Arch.**

Conference 2019 will take place May 5–8 at the Marriott St. Louis Grand. For more information, visit [NationalNotary.org/NNA2019](http://NationalNotary.org/NNA2019).

**NNA 2019  
ST. LOUIS**  
CAPTURE THE SPIRIT



2018 Notary of the Year Jeannette Ramcharan.

### NNA Gives \$1,000 To Heaven Sent

**THE NATIONAL NOTARY FOUNDATION** donated \$1,000 on behalf of 2018 Notary of the Year Jeannette Ramcharan. The funds were provided to **The Heaven Sent Foundation** — a charitable fundraising and philanthropic services organization — which Ramcharan co-founded with her sister.

The non-profit Heaven Sent Foundation provides assistance to children, individu-

als, and families who have any emergency needs. The Foundation accepts donations to provide food, clothing, school supplies and other necessities to families nationwide. They also sponsor health fair outreach programs for the community to provide health screenings, breast cancer awareness, chemotherapy support and health care education.



## Notarizing For Absent Signer Costs Notary His Commission

**AN ATTORNEY CONVINCED A FLORIDA Notary it was OK to notarize an elderly man's signature on a document without the signer present. The Notary reluctantly agreed — and his commission was taken away.**



According to court documents, a Notary working at a Miami shipping store was approached by an attorney and asked to notarize the signature of a 92-year-old nursing home resident on a power of attorney document.

The Notary testified that he initially refused because the client was not present. But the attorney said that her client did not need to be present because the state's Notary laws had changed. After speaking to someone on the phone who identified himself as the client, the Notary notarized the signature.

However, when the attorney attempted to use the power of attorney, it was discovered that the client had been previously found incompetent and lacked the mental capacity to sign. The Florida Bar filed a complaint against the attorney, who was reprimanded by the Supreme Court of Florida, and the Notary lost his commission.

Notaries should never agree to any request that asks the Notary to ignore personal appearance by a signer when required by law — no matter who tells them to do so.

## 5 Unusual Acts Most Notaries Don't Know About

**WHILE EVERY U.S. NOTARY can perform acknowledgments and jurats, a few states authorize Notaries to perform tasks you might not expect:**

1. Maine gives its Notaries the power to call town meetings if town voters submit a petition or the town lacks other officials to call a meeting.
2. Florida allows Notaries to inspect an automobile's Vehicle Identification Number (VIN) for people applying for a motor vehicle title.
3. California authorizes Notaries to act as inspectors when a homeowners association elects its officials, to ensure the election is properly performed.
4. Since the 19th century, Tennessee has permitted "bills" (petitions) submitted to the state's Chancery Court — which handles lawsuits, contract disputes and other civil matters — to be sworn or affirmed before Notaries.
5. Washington Notaries may certify that an event took place, provided the event is described in a written document.

## Indiana Notaries Can Charge Higher Fees Starting July 2018

**AS OF JULY 1, A NEW LAW will allow Indiana Notaries to charge up to \$10 for each signature notarized — five times the previous maximum amount of \$2.**

The new law, Senate Bill 539, also requires new Notary commission applicants to complete an education course and test administered by the

Secretary of State's office, and raises the required "assurance" (surety bond) for Notaries from \$5,000 to \$25,000. Commissioned Notaries will need to take a continuing education course every two years.

You can read more about SB 539 and updates to Notary laws in other states at the NNA's Notary Laws

MAXIMUM NOTARY FEES	
Acknowledgments	\$10
Verifications Upon Oath or Affirmation	\$10
Oaths or Affirmations	\$10
Signature Witnessings	\$10
Certified Copies	\$10

Fees for notarial acts not listed above are negotiable.  
A Notary may charge a reasonable fee for traveling to perform a notarial act. The travel fee may not exceed the actual distance traveled by the United States General Services Administration.

Maximum Notary fees as specified in Indiana Code Section 22-3-3-2-1(a)

NATIONAL NOTARY ASSOCIATION  
1600 Lakeside Drive, Channahon, IL 61016  
www.nationalnotary.org • 1-800-US-NOTARY (1-800-476-6827)

database ([www.bitly.com/notarylawupdates](http://www.bitly.com/notarylawupdates)).

# Your Guide To **Building A Successful Notary Business**

By David Thun



## **B**UILDING A BUSINESS IS A LOT LIKE SENDING A ROCKET TO THE MOON.

They both take careful planning, patience and hard work to succeed, and you don't succeed all at once — you have to make the journey in stages. A lot of people who become Notary entrepreneurs think that they can just pick up a commission, buy a seal and journal and wait for customers to line up at their door. It doesn't work that way.

To succeed, you have put in the time and effort to build a diverse customer base and keep it thriving and growing. The most experienced mobile Notaries all say that having other types of clients helps them keep business going during economic downturns.

But figuring out where to start looking for customers and how to introduce yourself to them can be daunting. We asked successful Notaries from every corner of the country about their experiences, suggestions and successful marketing strategies. We've used their stories and feedback to put together this step-by-step guide to each stage of building a successful business.

### **STAGE 1: Laying The Groundwork**

Whether you're a part-time or full-time Notary entrepreneur, the most important thing to remember is that success takes time. It's not instant and it's not easy. Few Notaries find high-paying and rewarding work when first starting out. A crucial part of getting business is finding and introducing yourself to potential customers. While every Notary's community is different, here are some good places to get started.

#### **Join Your Local Chamber Of Commerce.**

One of the best ways to start networking with potential customers is joining a local chamber of commerce in your community. A chamber of commerce is an organization of local business owners who meet regularly to make contacts, promote their services, organize and participate in community events and advocate for local business interests.

While there's usually a membership fee for joining a chamber of commerce, it pays off in networking opportunities. Cheryl Casebolt of Simi Valley, California, attended chamber of commerce meetings where she and other local

entrepreneurs would sit together, introduce themselves and tell other attendees about their services. "At any table I sat at, I would hand out business cards to people and mention my Notary work. Any person there might need a Notary," she said. As Casebolt got to know more people, they started calling her for more Notary assignments and referring her to others.

#### **Notarize For Neighbors And Friends.**

If you're just starting out and want to get some experience under your belt, a good place to start is offering to notarize documents for neighbors and friends. Once you've performed a few successful notarizations, you can ask them to leave you a review online (see "5 Tips When Marketing Your Notary Services" in the sidebar on page 13) or ask them to mention you if anyone else they know needs a Notary.

Lucia Piccolino of Scranton, Pennsylvania, started as a Notary in 2017 helping her boyfriend with his accounting business. Her boyfriend's clients remembered her work and started bringing her more documents to notarize and referring her to other customers. Using these customers and online marketing as a starting point, Piccolino established her own successful business performing loan document signings along with general Notary assignments.

#### **Participate In Neighborhood Activities And Community Events.**

Business venues aren't the only place you can reach customers. You can find many people in need of your services at sporting events; fundraisers by local groups like the Elks Lodge or Knights of Columbus; and school trips for students in your neighborhood. When introducing yourself, ask people to tell you about themselves.

A crucial part of getting business is finding and introducing yourself to potential customers.

### **Other Ways To Make Money**

There are many ways mobile Notaries can build their businesses. To check out some alternative income options, visit [bitly.com/EarnAlternateIncome](http://bitly.com/EarnAlternateIncome).

If they sound like they might need your services, mention you are available to perform notarizations and offer to share your contact information or leave a business card with them.

“Make an effort to get to know people in your local community. Get your contact number in their phones. That’s where you want to be for easy Notary referrals,” said Valerie Barrett of Orange County, California. “Parents at schools need notarizations for permission slips for their children to go on field trips or take part in sports. If you are available and make yourself known as a Notary, people will recognize your name.”

## STAGE 2: Learning The Ins And Outs Of Different Businesses

Once you’ve gotten your name out in the community, you’ll need to learn about businesses and organizations in a variety of different fields. Some of the most common local industries that offer Notary assignments are health care, legal and real estate, but each has its own needs and requirements.

### Nursing Homes, Hospitals And Health Care Facilities.

Patients at health care facilities and their families often need documents notarized, and many of these facilities call on the services of independent mobile Notaries. However, there are a few important things you should know.

The first is to remember that a signer in a hospital or senior care facility may be medicated or have a condition that affects their ability to communicate or understand what they are signing. Always check that the client is willing and aware of what’s going on. Never proceed if the signer appears confused or you have reason to believe the signer is being forced to sign against their wishes.

Serious medical situations can leave signers and their families highly

stressed and emotional. It’s important to be courteous and considerate of the signer’s emotional state, said Katrice Jones of Cleveland, Ohio, who regularly notarizes in hospice care facilities and nursing homes.

“Always go in with a pleasant attitude and a smile,” she said. “Treat them the way you would want your loved ones treated in that situation.”

Some facilities may have extra requirements for Notaries who are visiting patients with serious health conditions. For example, Jones is asked to provide proof of a TB test when visiting some facilities. At other locations, state law may require a patient advocate or ombudsman to be present to protect the signer against potential fraud or abuse.

If you’d like to offer your services at a hospital or care facility, a good place to start is contacting their administrative office or a staff social worker, case worker or ombudsman to see if they have a need for a Notary. If you’re asked to do a notarization, Jones recommended contacting the facility 24 hours in advance to confirm the signer has an acceptable form of ID ready.

### Attorneys And Law Firms.

While large firms are likely to have Notaries on staff, a smaller firm or sole practitioner may welcome the convenience of having a local Notary available when clients are signing important legal documents. Introduce yourself to the receptionist and offer to leave a business card or brochure with your contact information so they can reach you if they need a notarization done.

Remember that law firms expect a high degree of professionalism. Be sure to dress in appropriate business

attire. When you’ve finished, check your work to be sure the Notary certificate and your journal entry are complete, correct and your seal is affixed properly. Careless mistakes are a sure way to lose business when working with any customer.

### Real Estate Agents.

Local real estate agents have a lot in common with you: They are always trying to reach new customers, and doing so requires a lot of socializing and making contacts with their neighbors.

Careless mistakes are a sure way to lose business when working with any customer.

When introducing herself to real estate agents, Jones said she’s a big fan of face-to-face contact. “I will start with a phone call or social media message, contact them and tell them I’m a Notary, and suggest that we meet for coffee or breakfast and discuss if I can help their business with notarizations.”

Another approach Barrett suggested is offering to help distribute a local agent’s flyers or promotional materials in your neighborhood along with your own contact information. Barrett also suggested stopping by real estate open houses in your neighborhood with a box of doughnuts and your contact information for the real estate agent on site. “Make the effort to say hello,” she said.

Of course, this is just a small sample of the many types of local businesses that can use your Notary services. The important thing is to find them, introduce yourself and make yourself available.



## STAGE 3: Taking On The Big Challenges

Notaries who take the time to establish a strong customer base and outstanding professional reputation are far more likely to get requests from bigger organizations to notarize high-end business transactions. These type of assignments are challenging but are a potential source of higher income and can open the door to working with important clients in your community.

### Mortgage And Financial Institutions.

Assignments for mortgage companies and financial institutions can be very lucrative. Some Notaries were offered additional work by mortgage firms after gaining experience as Notary Signing Agents. Others were referred to financial institutions by other customers. For these types of assignments, Notaries have to bring their “A” game to the table.

“Big companies don’t want a cheap, careless Notary,” said Kelly Charpenet of Santa Monica, California. “It’s one thing to notarize a passport application, but it’s another thing to notarize when people are transferring multimillion dollar homes. It’s serious business. They pay for people who know what they are doing.”

### Don’t Get Stuck In One Niche.

Every Notary’s experience will be different, and these are just some of the many types of opportunities out there. The important thing is never get stuck in one niche.

“You don’t want to notarize just for banks. You can’t just do loan signings,” said Kelly Charpenet. “You need a wide variety of customers and services — a whole different bunch of income streams that can become a big ocean.” ■

# 5 Tips When Marketing Your Notary Services To Customers



**Over the years, Notaries have come up with a variety of ways to catch the attention of new customers. Here are some tips from experienced Notaries for meeting new customers and keeping them coming back to you for notarizations.**

- 1. It Never Hurts To Let People Know You’re A Notary.**  
Attending a holiday party? Mention that you’re a Notary. Taking your kid to soccer practice? Let people know you’re a Notary. While you might not get business right away, people will remember you later — and if they know you are available and conveniently located, they’ll call you.
- 2. Always Carry Marketing Materials With You.**  
Ask permission to leave flyers at popular venues in your area, such as coffee houses or restaurants. Some Notaries even provide pens or wear shirts and hats with their business’s name and logo. Any materials should include your name and contact information such as phone number and email. Include your hours of availability, what areas you travel to or additional services you offer.
- 3. Come Up With Personal Branding.**  
You want people to remember you when they need a Notary. When starting your business, brand your advertising with a unique image, name or motto. For example, Monica Haverkamp of Fort Worth adopted the Texas state flag as her logo and used it in all her marketing materials when she first started offering Notary services. “Having a brand helps people remember you.”
- 4. Use The Web And Social Media.**  
Online platforms like Facebook, Yelp or a personal website can be a great way to get your name out to customers. People search for Notary services online more than any other way, so it’s essential to make sure they find you. Online reviews are one of the most important criteria customers use when choosing a business, and the more positive reviews you receive, the more likely you are to show up first in online searches.
- 5. Always Follow Up With Your Customers.**  
Make sure to send a message or card to thank customers and let them know you appreciate their business. Don’t be afraid to ask for feedback or suggestions on how to improve your services. Remember to send cards at the holidays. Showing you care about your customers will help ensure they come back to you with more Notary assignments. ■



# Earn More Money, Grow Your Career

Become a Notary Signing Agent



## Freedom and Flexibility

Take your Notary commission to the next level: Learn to handle loan signings. As a Notary Signing Agent, you can grow your business at your own pace and take on assignments that fit your schedule.



## Go Further with NNA Certification

Get immediate exposure to start your business. All NNA® Signing Agent packages include your listing on SigningAgent.com — the directory trusted by lenders and title companies looking for qualified NSAs.



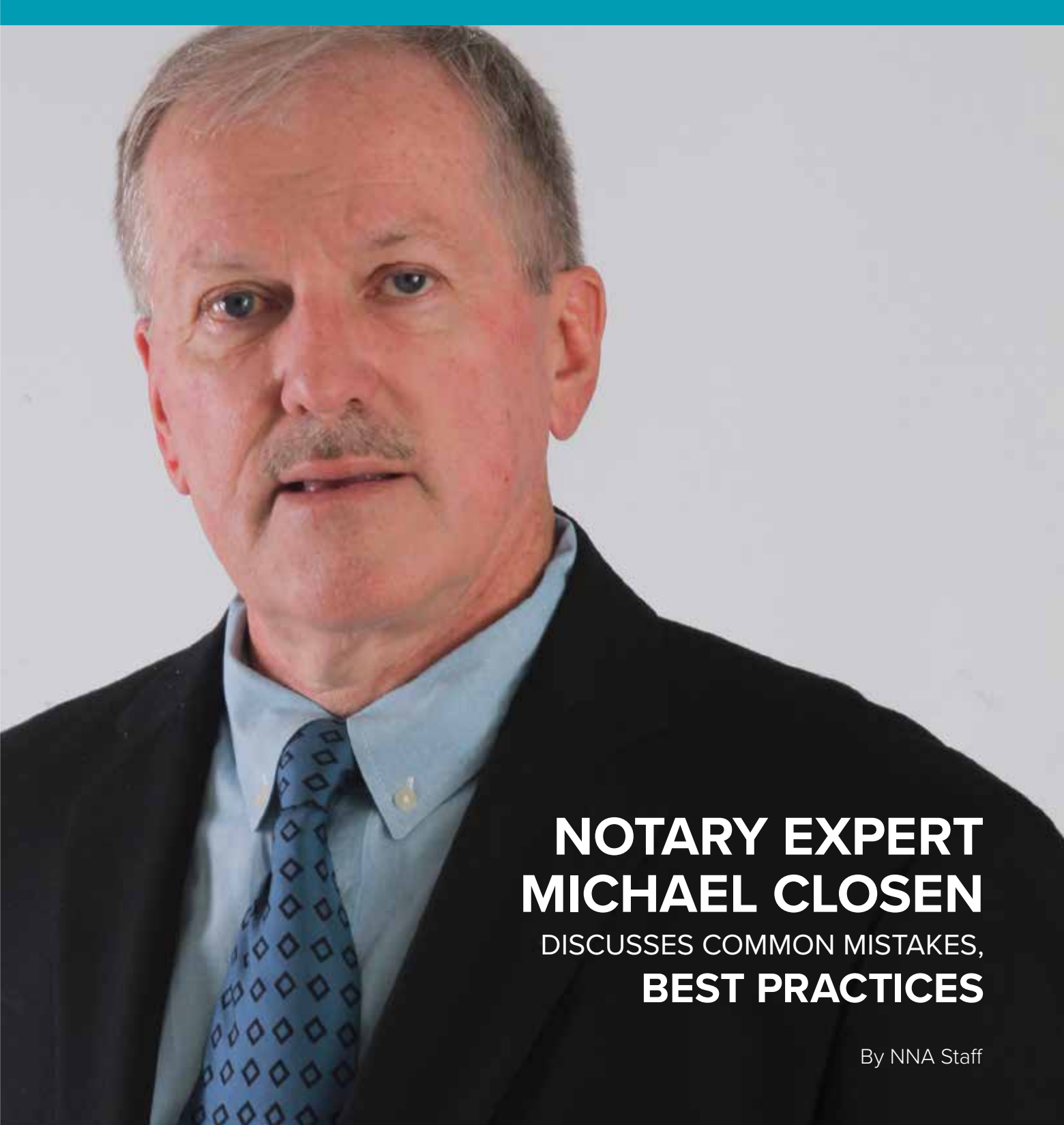
## Learn from the Industry Leader

With 60 years of experience, the National Notary Association has the knowledge and expertise to guide your success. Become an NSA today!

[NationalNotary.org/Signing-Agent](https://NationalNotary.org/Signing-Agent)  
1-800-876-6827



**NATIONAL  
NOTARY  
ASSOCIATION**



# NOTARY EXPERT MICHAEL CLOSEN

DISCUSSES COMMON MISTAKES,  
**BEST PRACTICES**

By NNA Staff

**M**ICHAEL CLOSEN, PROFESSOR EMERITUS AT THE JOHN MARSHALL LAW School in Chicago, Illinois, is one of the foremost experts on Notary law in the United States today. Among his many accomplishments, he has served on the drafting committees for *The Notary Public Code of Professional Responsibility*

and various editions of the *Model Notary Act*, consulted as an expert witness on Notary issues in a number of court cases, and authored “*Professor Closen’s Notary Best Practices: Expert’s Guide to Notarization of Documents*.”

He recently sat down with *The National Notary* to discuss Notary best practices and the common mistakes that land Notaries in trouble.

**Prof. Closen, you have spent decades becoming one of the foremost experts in Notary-related legal issues in the country. What inspired you to dedicate so much time and energy to the world of Notaries?**

One of my research assistants at the law school came in one day and asked me a question about Notary law and practice, and I didn’t know the answer. The two of us did some research and found that there was very little written about Notary law, ethics and best practices. That led the two of us to do something that should be done to correct this gap in the law and in the publications. That snowballed into 25 years of work in the Notary field.

It was that big gap that I had discovered. It was an interesting field and an important one, as we know. That’s why I got into it and have been doing it all this time.

**How many court cases or disputes have you been involved with?**

Over the last 25 years, I would estimate probably about 50 times I have been consulted in one form or another.

**What are the most common issues that come up in these court cases?**

There are some specific issues that come up all the time and probably account for at least 80 percent or more of all cases about which I have consulted.

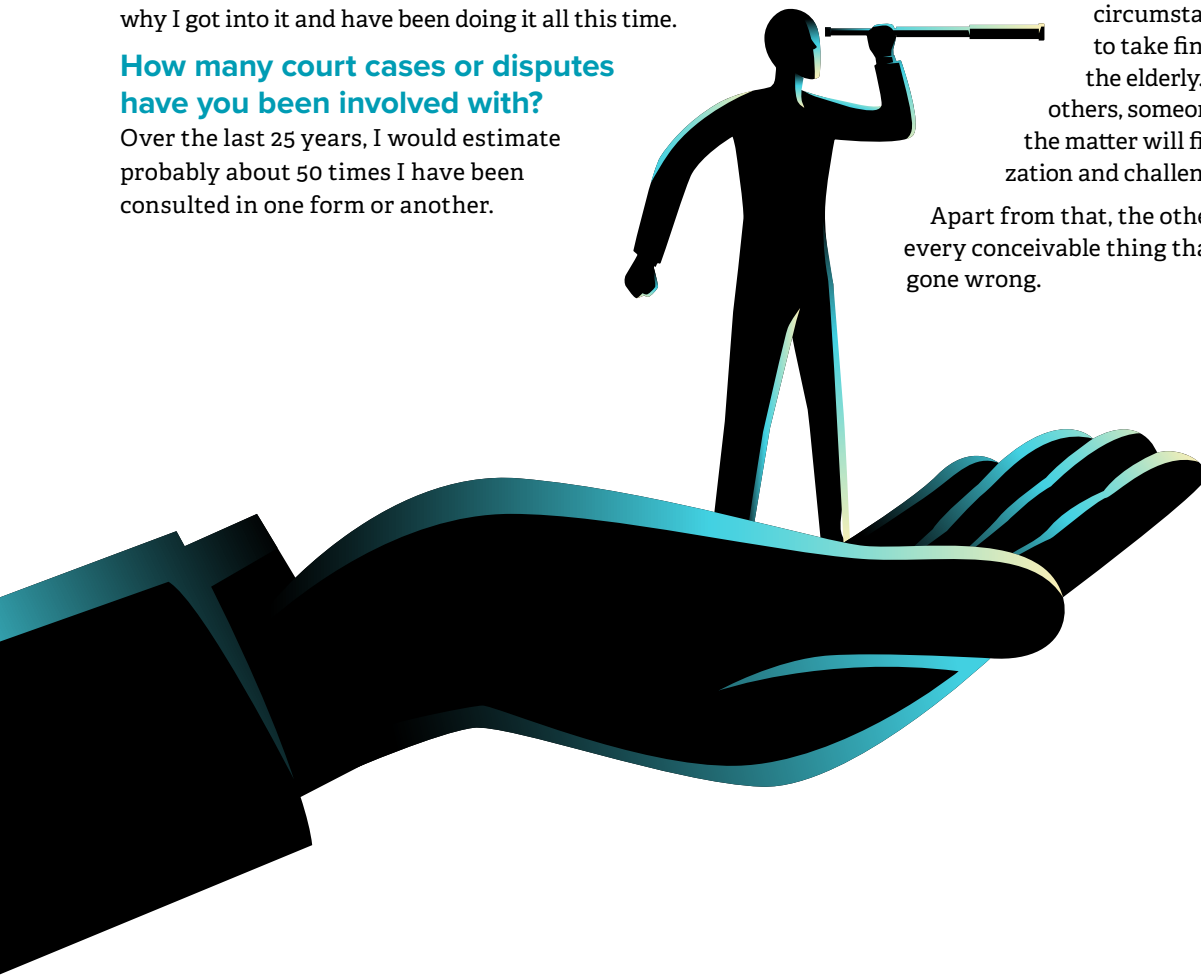
One situation that happens tragically often is where an imposter manages to get a Notary to perform a notarization. There are some things that obviously have gone wrong in the identification process.

Identification has either been lacking altogether, and somehow a Notary has allowed the imposter to sign a document and obtain a notarization, or perhaps a Notary has been faced with a forged identification document and has been duped by that document. Unfortunately, there are situations where Notaries don’t inquire into the identification as much as they should have.

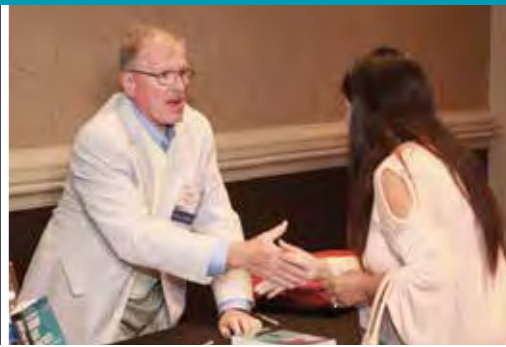
In the real world, imposters are around a lot. And with a lot of frequency, they get past Notaries. So we have to be very cautious as Notaries to try and prevent that.

The second setting is even more prevalent. Those are cases where document signers have been very elderly and/or quite ill. Sadly, there are many circumstances where people try to take financial advantage of the elderly. After it’s discovered by others, someone on the signer’s side of the matter will find out about the notarization and challenge it.

Apart from that, the other cases run the gamut, every conceivable thing that could go wrong has gone wrong.







### **Do you find that the Notaries involved in these cases knew they were doing something they shouldn't? Or were they gullible and poorly informed about their duties?**

In my experience, and I think this is the case across the board in reading hundreds of legal cases and hearing anecdotal accounts, rarely are Notaries guilty of intentional wrongdoing. In the great majority of cases, Notaries are simply unaware of proper procedures, a statute doesn't clearly cover a matter or a Notary doesn't understand what the best practice would be for a notarization.

The next largest group of cases are ones where Notaries are gullible. They are not diligent gatekeepers in protecting signers and protecting the public interest. They will occasionally allow sympathetic stories to convince them to take shortcuts or abbreviate the procedures that they should be employing to protect the notarization.

### **What can Notaries do to protect themselves?**

The best two things that Notaries can do to keep out of legal cases and disputes are education and journalizing. If Notaries learn the statutes and regulations — and understand that the statutes are incomplete

and that they need to follow best practices to fill those gaps — they won't make mistakes and won't get into trouble.

The other thing to do is to document their diligence by keeping a Notary journal. If a Notary records every single notarization, and if there is a dispute, all of a Notary's journal entries will go before a judge or jury. It won't be just the entry for the one notarization, but their entire body of notarizations where they've shown time after time how diligent and thorough they have been.

### **What one thing would you like to say to every Notary in America?**

I am trying to convey the message that notarization is very important. It is not child's play. It is becoming more and more important and more complicated. Twenty years ago, we weren't judging the mental awareness of document signers. Nowadays, Notaries need to do that. They need to assess whether signers are acting willingly.

In this day and age of document fraud and identity theft, we've got to be more and more cautious about identifying document signers. And documents are becoming more and more valuable. The transactions behind them are not just for a few dollars, but hundreds of thousands

Rarely are Notaries guilty of intentional wrongdoing.

or millions of dollars. So what I'm suggesting is that Notaries ought to take that into account.

I also would like to emphasize to every Notary, regardless of what state or territory they reside in, that their state Notary laws and regulations are incomplete. No state's statutes are complete. And in many cases they're quite incomplete. So Notaries ought to have as much education as they can.

For information about Prof. Closen's book, please visit **NationalNotary.org/closen-best-practices-guide.** ■

A photograph of Jeannette Ramcharan, a woman with dark hair, wearing a bright pink, high-necked, sleeveless dress. She is smiling and holding a clear, faceted glass award. The background is a light-colored wall with gold-colored decorative elements.

## 2018 NOTARY OF THE YEAR **JEANNETTE RAMCHARAN**

By Cindy Medrano

**W**HEN LIFE HITS YOU WITH UNEXPECTED CURVEBALLS, YOU HAVE TWO options. You can give in and give up or keep pushing forward. Jeannette Ramcharan of Bowie, Maryland, chose the latter. At the age of 38, life took an unexpected turn and she was given devastating news. Ramcharan was

diagnosed with breast cancer and became uninsurable. Then much to her dismay, her mother was also diagnosed with breast cancer at the same time. Although this is not the ideal mother-daughter experience, they relied on each other's strengths to pull through the pain and take it day by day.

But as Ramcharan attended chemotherapy sessions, she noticed others there did not have the same support system as she did. Many patients were alone and afraid. Even though she was in discomfort, too, she took it upon herself to make others feel loved.

That experience inspired her to dedicate considerable time and energy to helping others. In particular, she co-founded The Heaven Sent Foundation, a charitable fundraising and

philanthropic services organization that provides assistance to children, individuals, and families who have any emergency needs.

Ramcharan embodies a selfless persona, who wants nothing more than to do good for the world around her. It was her admirable service in helping others and her commitment to the elderly, disabled community that inspired the NNA to recognize her as the 2018 Notary of the Year.

"Jeannette, you're a wonderful person. By being who you are each and every day, you improve the image of the American Notary office, and you're a role model for the entire Notary community," said NNA President and CEO Tom Heymann during the award presentation at the NNA 2018 Gala Banquet in June.

Receiving the Notary of the Year honor came as a surprise to Ramcharan. “The feeling is still so surreal,” she said. “I met a lot of wonderful people with many good things to say that I’ll take with me on my path and the continuation of my life journey.”

### An Indomitable Spirit

A kind, genuine soul with a good heart who emits positive energy to anyone around her, Ramcharan is the kind of person who is determined to never allow bad news to hold her down. Instead, she uses it to steer her life towards an inspirational, philanthropic role.

“We have to take the good with the bad and know that every day is a new day, a new beginning,” she said. “When I was diagnosed with breast cancer, my situation gave me the fuel to do even more.”

The Heaven Sent Foundation provides countless types of assistance locally, throughout the United States and overseas. Many of those services include food donations during holidays, clothing drives and back-to-school supplies. They also sponsor health fair outreach programs that inform the community to provide health screenings, breast cancer awareness, chemotherapy support, and health care education.

The Foundation hosts a regular Cozy for Chemo event that distributes blankets to cancer patients nationwide and abroad. Recently, members of the organization traveled to Cebu City in the Philippines to host a Feed the Children event to provide food and clothing for needy children.

### The Beginning

Like many others, Ramcharan didn’t start her professional life wanting to be a Notary.

Instead, she built a career as a financial service professional and the founder of an in-home, medical equipment

and supplies company. This allowed her to follow her abiding passion for helping the elderly, disabled and others afflicted with crippling medical conditions.

She noticed that many of her patients, who are seniors and bedridden, were having a difficult time locating a Notary. Ramcharan then needed a Notary for herself. She visited her local bank and had to wait hours to see someone. That was when she saw a real problem and decided to become Notary to solve her patients’ urgent needs.

“Yes, I became a Notary out of necessity,” she said. “Now it’s become my passion because I know I’m doing the right thing.”

“I became a Notary  
out of necessity.  
Now it’s my passion.”

— Jeannette Ramcharan

Many of them needed wills or other important medical documents notarized, and knowing that she could help them relieved so much stress on all parties involved. “It made me feel wonderful to be able to serve my clients,” she said.

Ramcharan hosts regular Will-a-Thon events to provide no-cost notarizations for seniors, veterans and the disabled.

This event is simply another way she can be of service and spread more of her good energy to those around her.

Ramcharan encourages her six children to project the same positive energy she has into helping those around them.

She wishes to use her platform as Notary of the Year to inspire new Notaries to have confidence and find their own voice in the industry. She encourages Notaries to not be afraid to put themselves out there to market themselves.

Ramcharan advises fellow Notaries to leave business cards at local businesses. The community will start to recognize your name and services, and phone calls will pour in.

“The good energy you put out there will come back to you. Don’t give up. Be persistent and create your own opportunity,” she said. ■

Jeannette Ramcharan and her mother as they went through chemotherapy together.



The Feed the Children event held by The Heaven Sent Foundation in the Philippines.



# REMOTE NOTARIZATION:

WHAT YOU NEED TO KNOW

By Michael Lewis





**A** S MORE STATES CONSIDER PASSING LAWS AUTHORIZING REMOTE notarizations, the practice continues to raise questions among Notaries and signers alike. What is remote notarization? Where can it be performed? Who can request it? Can I perform it? What technology is needed? Here are answers to the most common questions.

### What is remote notarization?

With remote notarization, a signer personally appears before the Notary at the time of the notarization using audio-visual technology over the internet instead of being physically present in the same room. Remote notarization is also called webcam notarization or online notarization.

### Is it the same as electronic notarization?

Many people confuse electronic notarization with remote notarization, believing they are the same. They are not.

Electronic notarization, or eNotarization, involves documents that are notarized in electronic form, and the Notary and document signer sign with an electronic signature. But all other elements of a traditional, paper notarization apply to electronic notarization, including the requirement for the signer to physically appear before the Notary.

### Where can it be performed?

Today, only Notaries in two states are able to perform remote notarizations: Virginia and Montana.

Virginia in 2011 became the first state to enact a law allowing its duly commissioned electronic Notaries to perform remote notarizations.

In 2015, Montana became the second state to allow the practice but with a number of restrictions. For the most part, remote notarizations are restricted to documents involving Montana residents and certain in-state transactions. Montana also is the only state that allows a paper document to be notarized when the signer and Notary appear online.

### Will other states permit remote notarizations in the near future?

As of July 1 this year, laws authorizing remote notarization in Texas and Nevada went into effect. Both laws require their respective Secretary of State's offices to create rules governing remote notarizations.

Texas is in the process of finalizing its rules. Nevada has yet to publish rules.

So far in 2018, five more states have enacted remote notarization laws:

- Michigan, approval of technology providers starts March 30, 2019.
- Minnesota, effective on January 1, 2019.
- Indiana, effective July 1, 2019.
- Tennessee, effective July 1, 2019.
- Vermont, effective July 1, 2019.

Several other states currently are considering remote notarization measures, but have not yet enacted them.

### How do I prepare for remote notarization?

If you live in a state that has authorized the practice, simply follow the requirements of that state. So far, for example, every state but Montana requires Notaries to either obtain a separate electronic Notary commission or register to perform remote notarizations.

Montana requires Notaries to inform the Secretary of State they are using remote notarization to notarize electronic records.

To find out what your state requires, visit your Secretary of State's website or check the

NNA's Notary Law database for details of each of the laws mentioned above. The NNA also will continue to publish information as states put their remote notarization programs into effect.

### What kind of technology will I need to perform remote notarizations?

Each state that authorizes remote notarizations establishes its own technology standards and requirements.

There are a number of technology companies that have remote notarization systems in place. They include:

- DocVerify.
- Notarize.
- NotaryCam.
- Safedocs.
- SIGNiX.

In practical terms, signing up with one or more of these companies will provide most online Notaries with the technology they need.

Each state that authorizes remote notarizations establishes its own technology standards and requirements.

## What training do I need to perform remote notarizations?

So far, only Nevada requires prospective online Notaries to undergo training.

To learn how to use remote notarization technology, each online notarization company will provide training for its respective systems.

## Will being a remote Notary increase my market value?

If you are a mobile Notary, adding business services may increase your value.

## How will clients know I am a remote Notary?

Some remote notarization system companies market their services directly to the public, so you don't have to.

In these cases, companies function like signing services. Customers come to them for a notarization, and they schedule a remote Notary through their system.

Typically, when you sign up, they will ask you when you are available to perform remote notarizations.

You'll be paid a portion of the maximum fee for the remote notarization the company collects from the signer.

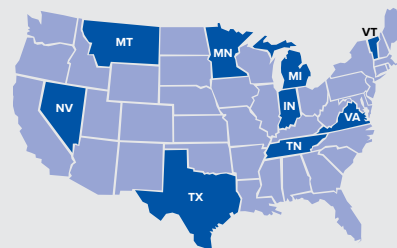
If you use a technology company that doesn't market directly to the public, you will need to market yourself to potential clients just like you do today for paper notarizations.

## How will I list this on my SigningAgent.com profile?

Every profile has an "Additional Information" section where you can put other qualifications and services. Go ahead and list it there. ■

### States Authorizing Remote Notarization Laws

- Indiana
- Michigan
- Minnesota
- Montana
- Nevada
- Tennessee
- Texas
- Vermont
- Virginia



FedEx



## Sign up. Ship. Save.

**National Notary Association members save big on select FedEx® services**  
NNA members, you can receive discounts of up to 26%\* on a variety of FedEx services. It's free to enroll, and there are no minimum shipping requirements.

### Your NNA Member Discounts\*\*

Up to 26% off	FedEx Express® U.S.
Up to 20% off	FedEx Express international
Up to 12% off	FedEx Ground®
Up to 20% off	FedEx Office®†

### Try FedEx Mobile

Need a convenient way to check the status of your shipments, get rates, or find the nearest FedEx location? With FedEx Mobile, it's all just a click away.

To enroll go to [enrolladvantage.fedex.com/6715](https://enrolladvantage.fedex.com/6715) and enter your membership ID and passcode VZGN18.

Discounts available on select FedEx shipping labels are cleared online with FedEx Ship Manager® at [fedex.com](https://fedex.com) or with another approved electronic shipping solution.

\*\* Select shipping discounts are off standard list rates and cannot be combined with other offers or discounts. Discounts are applicable to any FedEx surcharges, premiums, minimums, accessorials charges, or special handling fees. Eligible services and discounts subject to change.

† For eligible FedEx services and rates, contact your association. See the FedEx Service Guide for terms and conditions of service offerings and money-back guarantee programs.

‡ Black & white copy discounts apply to 8-1/2" x 11", 8-1/2" x 14", and 11" x 17" prints and copies on 20-lb. white bond paper. Color copy discounts are applied to 8-1/2" x 11", 8-1/2" x 14", and 11" x 17" prints and copies on 28-lb. laser paper. Discount does not apply to outsourced products or services, office supplies, shipping services, inkjet cartridges, videoconferencing services, equipment rental, conference room rental, high-speed wireless access, Sony® PictureStation™ purchases, gift certificates, custom calendars, holiday promotion greeting cards, or postage. This discount cannot be used in combination with volume pricing, custom bid orders, sale items, coupons, or other discount offers. Discounts and availability are subject to change. Not valid for services provided at FedEx Office locations in hotels, conversion centers, and other non-retail locations. Products, services, and hours vary by location.

© 2019 FedEx. All rights reserved.

### Using Supplementary ID



The most important part of a Notary's duty is verifying the identities of their signers. Most of the time, you make that decision by checking a signer's ID. But what if you're just not sure? Can you ask for supplementary ID?

Generally, you can ask for another ID, but just what type of ID depends on the laws of the state where you are commissioned. Some states have very strict requirements regarding the types of ID you may use. Others less so. And the rest leave it up to the Notary to decide what they will accept.

A common issue that prompts Notaries to ask about supplemental IDs is the disparity between the signer's appearance and their ID photo and/or description. But that doesn't necessarily mean your signer is an imposter. In many states, driver's license and ID card photos can go unchanged for a decade or longer, and people often change dramatically in that time. In Arizona, for example, driver's license and ID

card photos are only updated every 12 years.

#### States With Strict ID Rules

States such as Florida, California and Tennessee provide specific lists of IDs that Notaries may rely on to verify a signer's identity. We call these states "strict" because they limit Notaries to accepting only the specific IDs on the list.

If you're a Notary in a state with stringent rules, make sure to check your state Notary laws for the specific IDs you can use. Any second ID must come from your state's list. In California, for example, you could not rely on a school ID. But you could accept an employee ID issued by a California city or county agency or military ID, provided it is current or has been issued in the past five years and has a serial number, photograph, signature and description of the individual.

#### States With General ID Rules

Other states have laws that prescribe the elements an ID must have but stop short of listing the specific IDs

that are acceptable. We'll categorize these states as having "general" ID rules. In North Carolina, for example, Notaries may accept a current document issued by a federal, state, or federal- or state-recognized tribal governmental agency that contains the photograph of the bearer's face and either the signature or a physical description of the bearer.

In these states, you have a wider range of acceptable supplemental ID available that meet the general rules. However, any ID you rely on must still have all the required elements.

#### States Without ID Rules

Finally, some states do not have any requirements for the types of ID you may accept. Minnesota, for example, says a Notary may rely on "identification documents" to establish the signer's identity. In some cases, a state commissioning official may suggest guidelines in its Notary handbook or on its website. New York, for example, allows its Notaries to accept reliable ID cards and notes that the best types

include the person's photo, physical description and signature.

In these states, Notaries have the most latitude in deciding what constitutes acceptable, supplementary ID because only the Notary must be satisfied, not a specific state law.

While you could accept a university ID or library card, keep in mind that you may have to defend your decision if the notarization is challenged. *The Notary Public Code of Professional Responsibility* recommends accepting a "reliable identification document bearing a photograph."

Social Security cards and similar documents are easily forged and lack the elements — such as a photo and physical description — that would help you verify that your signer is who they claim to be.

In addition, if you have doubts about your signer's primary ID, don't lower your standards for a supplemental ID. Always remember you're on the line when you certify that a signer with a claimed identity appears before you.





## Notarizing Wills, Accepting Passports, Storing Journals

**NOTARIES NATIONWIDE** RELY on the NNA's Notary Hotline to answer their most challenging questions. The following are among the thousands our Information Services Team receives each month.

**Q** Can I notarize a will?

*A.B., Florida*

**A** If the will requires notarization, yes, you may notarize it provided all requirements for notarization are met. These include:

- The document signer must be present and competent to execute the document.
- The signer must be personally known to you or produce appropriate identification.
- The document must have a notarial certificate or the document signer must direct you to add one.

**Q** Is it okay for me to notarize the signature of the owner of a passport if the "owner" makes a copy and writes on the copy that it is a true and complete copy of her original passport?

*S.B., Michigan*

**A** Because Michigan Notaries are not authorized to certify copies, this may be a solution. The signer should instruct the Notary whether they want their signature notarized with either an acknowledgment or jurat. However, the signer may want to check with the receiving agency as to whether it will accept this alternative.

**Q** I have been a Notary for over 20 years and have journals stacking up. What must/can I do with them?

*C.R., California*

**A** The journal(s) are your exclusive property and must

be kept locked and secured until you resign your Notary commission, you are disqualified from being a Notary, your commission is revoked or you allow your commission to expire without obtaining reappointment within 30 days (Government Code Section 8209[a]). At that time you would deposit the journals from all of your commission terms with the county clerk of the county in which your oath of office is on file.

**Q** Can I notarize a probate document that has handwritten paragraphs included?

*S.F., Georgia*

**A** Generally, you may notarize a signature on a document that includes handwritten paragraphs. But since you specifically asked about a "probate" document, it is best to seek the advice and counsel of a Georgia attorney who knows the legal requirements and formalities for creating and signing probate documents on this particular question.

**Q** Should my Notary journal entry contain the driver's license number or just the type of ID used to identify the person?

*S.T., South Carolina*







**A** The *South Carolina Notary Public Reference Manual* provides direction for entering this information: “The manner in which the signer was identified.” Simply entering a description such as: “Personally known to me,” or “SC Driver’s License,” “Mexico Passport” or “oath of credible witness,” may be sufficient.

**Q** Where can I find the verbiage for giving an oath or affirmation?

*S. S., Minnesota*

**A** Minnesota Statutes 358.07 provides wording for several types of oaths.

In particular, MS 358.07(10) provides an oath form for affiants that may be used by Notaries who notarize signatures on affidavits: “You do swear that the statements of this affidavit, by you subscribed, are true. So help you God.” The statute doesn’t require you to use these exact words as long as you stick to the substance of the oath.

For an affirmation, MS 358.08 allows the words “swear” and “so help you God” in the abovementioned oath to be replaced respectively with “affirm” and “and this you do under the penalties of perjury.”

**Q** How much am I allowed to charge to notarize in the state of Texas?

*D.Z., Texas*

**A** The maximum fees you may charge are as follows:

- Acknowledgment or proof, \$6 for the first signature and \$1 for each additional signature.
- Administering an oath or affirmation, with certificate and seal: \$6.
- Providing a copy of a record or paper kept in the Notary’s office: 50 cents per page.
- Taking a deposition: \$6 for the oath, certificate, seal and other business

connected with the deposition, plus 50 cents per 100 words.

- Protesting for nonacceptance or nonpayment, register and seal, \$4; each notice of protest, \$1; certificate and seal to a protest, \$4; protesting in all other cases, \$4.
- Certificate under seal not otherwise provided for: \$6.
- Performing any other lawful notarial act: \$6.

**Q** The notarial certificate doesn’t have enough space for me to print the word “August.” I only have enough space to print “08.” Is this allowed?

*E.H., North Dakota*

**A** North Dakota law doesn’t specifically address this issue. The preferred standard of practice is to print the name of the month. If space is limited, the next best solution is to abbreviate the month (“Aug.” in this case).





## Dealing With Blank Spaces On Documents

Many Notaries ask whether they can notarize a document if there are blank spaces in the main body of the document. Here are some helpful guidelines for these situations.

### May I Notarize Documents With Blank Spaces?

You should not notarize an incomplete document because of the risk of potential fraud. In fact, many states, such as California, Colorado and Florida, specifically prohibit their Notaries from doing so. For example, if a document selling a vehicle to someone else for an agreed amount was signed and notarized with the selling price left blank, a dishonest person could fill in a different amount later and claim that was the agreed sum of money.

Because of this, if you are presented with an incomplete document, you should refuse to notarize, citing the missing pages or blank spaces as the reason.

### Are Some Blank Spaces OK?

There are some limited situations where it is



permissible to leave a space blank, such as the following:

*Spaces for additional signatures.* Documents often need to be signed by multiple individuals at different times in different locations. You may be asked to notarize one signature on a document that includes additional blank signature spaces. In such a case, the document is not considered incomplete, and you may complete the notarization for any signers who are physically present and properly identified. However, you should record in the journal entry that the document included additional signature spaces and why they were not used.

*Spaces reserved for use by government officials.*

Some documents include a boxed-off section or separate area of blank spaces marked with a title such as “For Official Use Only,” “Reserved For Recorder Use Only” or some other label indicating it may only be completed by an authorized official. If you are asked to notarize such a document, it is OK to proceed without filling in the blanks in a section reserved for official use.

### Be Sure To Fill Out The Notarial Wording Completely

Never leave blanks or omit information when you are completing the notarial wording. Missing information in the notarial wording was listed by county recorders in California as one of the top 10 reasons notarized documents are rejected by recording offices.

### Inapplicable Blanks Or Spaces To Be Filled In Later

Sometimes a blank space on a document will not be used. In such cases, you should refuse to notarize, citing the blank space as a reason. Remember that you may only complete information in the notarial certificate wording. Any blanks in the main text must be completed by the signer or another individual authorized to do so before the notarization may proceed.

Learn more about best practices and procedures in the NNA's Notary Essentials course:  
**[NationalNotary.org/Notary-Essentials](http://NationalNotary.org/Notary-Essentials)**

May 5–8

# NNA 2019 ST. LOUIS

CAPTURE THE SPIRIT



## Early Bird Registration Now Open!

Join hundreds of your fellow Notary Professionals from around the country for an unparalleled educational and networking experience that you simply won't find anywhere else.

Take advantage of our discounted early bird pricing while it lasts. Installment payment plans are available to members.

Your NNA 2019 registration fee includes educational workshops, hands-on demonstrations, interactive roundtable discussions and lively networking events.

**The Marriott St. Louis Grand**, located at 800 Washington Avenue, St. Louis, Missouri 63101, is a recently renovated contemporary oasis in the downtown area, featuring modern amenities with sleek design elements.

## Register Today!

NationalNotary.org/NNA2019  
1-844-4NNA-CONF

   #NNA2019



# Time to Renew?

Don't wait until it's too late  
to renew your commission.

The NNA will provide you with everything you need to meet your state's requirements and protect yourself from liability.

---

**Application • Bond • E&O Insurance • Training • Supplies**

---

NationalNotary.org/Renew | 1-888-896-6827



**NATIONAL  
NOTARY  
ASSOCIATION**