

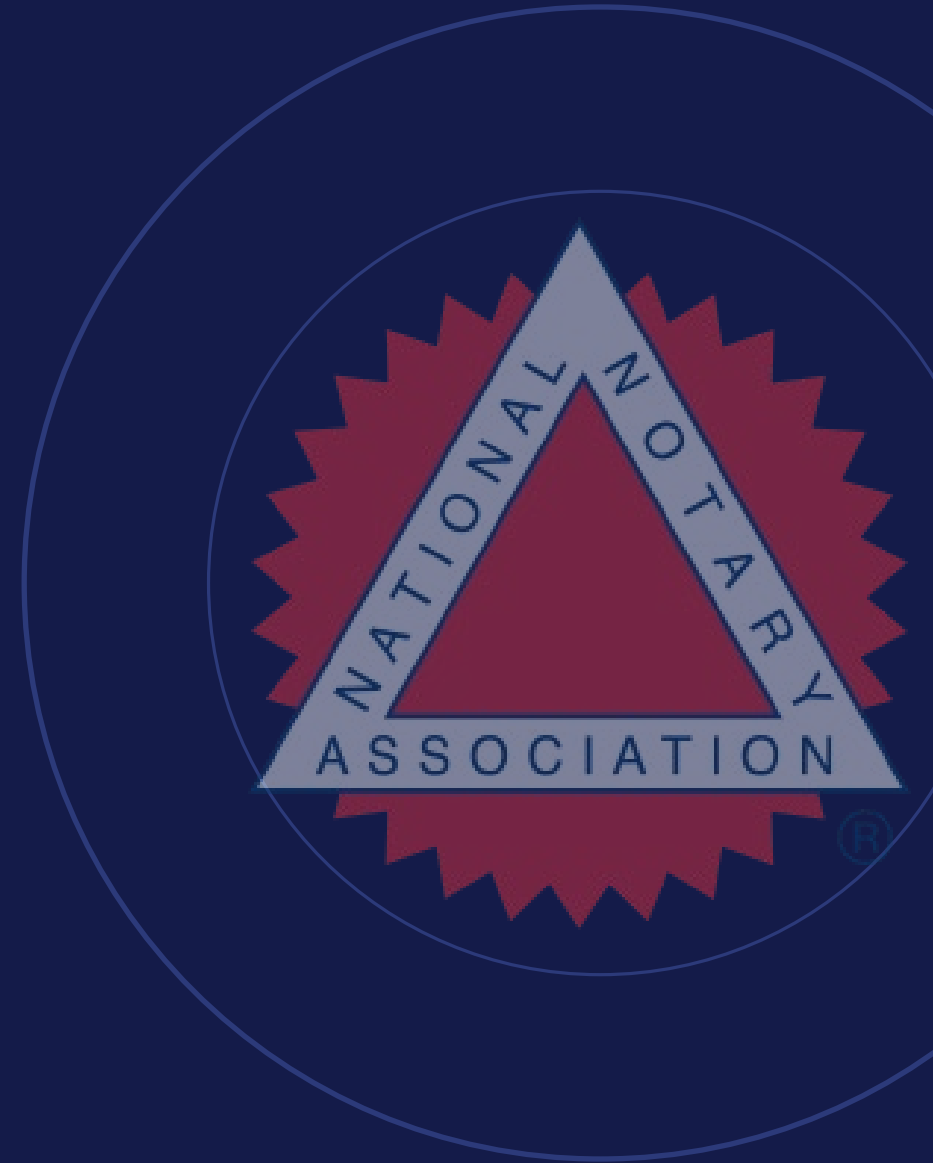
EST. 1957

About the NNA

Advocacy, Education, and Support for America's Notaries



Brooke Merritt, Director, Government Affairs & Policy Planning
National Notary Association



69

YEARS OF SERVICE

OUR MISSION

A Legacy of Trust

- Advocating for high notarial standards.
- Raising the level of professionalism and pride among Notaries.
- Inspiring Notaries to want to know and learn more about their profession.
- Educating Notaries to better protect their clients and themselves.
- Emphasizing the historical significance of Notaries Public to the public.



Advocacy



Honorable Edmund Brown, Jr.
Secretary Of State
State of California
Sacramento, California

Dear Secretary Brown:

Re: Initiation of legislation to revise

In a recent poll of its members on the p
structure, the National Notary Associati
whelming support to seek a fee increase
legislature. The Association is seeking
matter.

(Enclosed you will find a copy of the As
Newsletter in which the results of our p

As you are aware, many of our state laws
Public are pathetically outdated, includ
Notary's Fees. As the official organiza
Notaries, the NNA has made a thorough st
Notary Fee structure. We find it to be
the amount of work involved, and more im
iated responsibilities that the Notary i
accept.

We, as an Association for all Notaries P
States, are appealing to you to utilize
office in aiding our cause for an improv
Fee structure in this state.

Can you help us?

Anxiously awaiting your answer, I remain

Raymond C. Rothman

Raymond C. Rothman, President
National Notary Association

RCR:es
Enclosure-10/70 Newsletter

RAY ROTHMAN, PRESIDENT
ESTHER SOBET, EXECUTIVE SECRETARY
PHONE: 347-3035 CODE 213
22014 VENTURA BLVD.
WOODLAND HILLS, CALIF. 91364

Editorial

HB 2786

NOTARIES MUST NOT BE ELIMINATED

Immediate and decisive action must be taken by all concerned Notaries to defeat a bill before the Oregon Legislature. House Bill 2786, introduced by Representative Stan Bunn, would eliminate the Notary Public office!

The ramifications of this bill affect all Notaries — all citizens — in every state, not just Oregon. The elimination of Notaries Public could deprive citizens of inexpensive and easy access to notarial services and hinder their ability to freely engage in transactions.

The Oregon bill would limit the performance of notarial acts to attorneys and county clerks. This means that for simple acknowledgments, affidavits and oaths, citizens must incur the expense of acquiring an attorney or the inconvenience of traveling to urban centers to obtain the services of a county clerk.

The purpose of notarization is to provide an impartial, unbiased witness to the signing of documents. Notarization does not require the legal expertise of attorneys. It is a simple process requiring, basically, the integrity, care and impartiality of the Notary Public.

Consumers will not only be inconvenienced by the elimination of Notaries, they may also lose essential protection. Notaries Public, at present, are bonded to insure payment to citizens in the event they suffer damages from a Notary's improper act. Representative Bunn's legislation makes no provision for public protection; attorneys and county clerks would not be bonded for notarial acts. We can easily imagine an unscrupulous individual improperly notarizing a document and skipping town, leaving a bilked citizen with no financial recourse.

Small businesses real estate offices, banks, escrow companies and many other commercial enterprises would lose the convenience of having an office Notary Public. Each commercial transaction would entail the costly and time-consuming process of obtaining an attorney or trekking to a county clerk. Thousands of agreements daily require notarization. Eliminating Notaries Public will not decrease the volume of agreements, it will only increase the difficulty in consummating them. Citizens and businesses will suffer.

While some attorneys might welcome the extra business HB 2786 will bring, most will realize at what a high cost to their professional ethics it will come. Attorneys will be placed in the classic conflict between being an advocate and being an impartial witness — roles the Bar Association's *Code of Professional Responsibility* states are "inconsistent" and to be avoided.

Additionally, an attorney involved in drafting an agreement would be forced to notarize the agreement, placing him in a beneficial interest conflict and leaving him open to lawsuits for improper conduct.

Eliminating Notaries Public will raise government costs and, indirectly, citizen costs in the form of taxes. Additional personnel must be hired and trained to work in the county clerks' offices to provide notarial services to the public. Should lawsuits be brought against county clerks for improper performance of notarial acts, the state may be held liable because county clerks are state employees, causing an additional government expense.

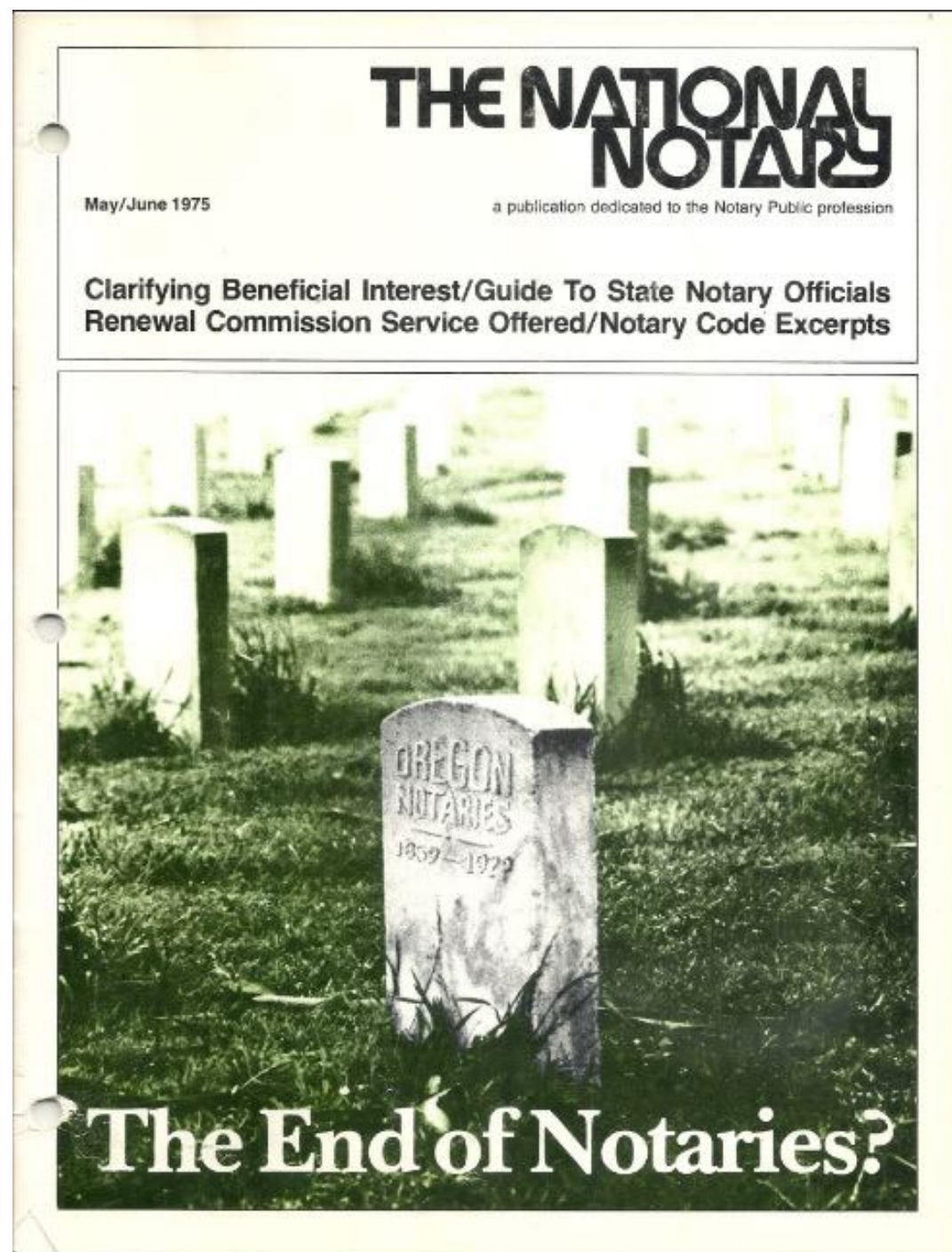
The National Notary Association has long argued that present Notary laws are ineffective. But doing away with Notaries is not an answer — it is an attempt to escape finding a serious answer to a serious problem. Notary laws need revision and reform. It will take the hard work of investigation and research on the part of legislators to determine the requisites of a meaningful Notary law. Legislators cannot evade this work by eliminating Notaries. The harmful effects of HB 2786 will cause more work for them later . . . to undo the damage.

We suggest that all legislators, who are truly concerned with the inequities of present Notary laws, review the Uniform Notary Act introduced by the National Notary Association. This comprehensive model legislation may provide the basic framework for a new and stronger Notary law.

Oregon Notaries should write their legislators now, urging the defeat of HB 2786 and urging their review of the Uniform Notary Act. All Notaries, in Oregon and every other state, must write now to Oregon Governor Tom McCall and Secretary of State Clay Myers to request that they oppose this ill-conceived bill. As Notaries and as citizens — we cannot afford to be complacent or we may soon pay the high price of our apathy.

Don't wait . . . write today!

Editorial



Education



DENNIS McCRAVEN
Recorder's Document Supervisor



RAYMOND C. ROTHMAN
NNA President



GEORGE B. WEST
Errors and Omissions Specialist

Association Hosts First Seminar

(Continued From Page 1)
was commissioned by the Association to handle all arrangements.

"While we will have a schedule to follow," he said, "no one will be denied the opportunity to query the speakers or discuss with them Notarial problems that they may have. Our primary concern is that all those attending will get something out of the seminar that will ultimately prove helpful to them in their everyday duties as a Notary. No subject will be taboo during the question and discussion period."

Cost of the seminar is \$17.50 for Association members and \$21.50 for nonmembers. Prices include lunch and parking.

(For further information, call the Association at 213/347-2035, or the Milt Valera Public Relations & Advertising Agency at 213/986-7093.)

The lineup of speakers, according to Valera, is probably the most knowl-

edgeable and authoritative on Notary problems ever gathered at one time in Los Angeles. Jones has been involved in more Notarial cases than, perhaps, any other lawyer in California. McCraven has, for many years, worked closely with Notaries on the acknowledging and verification of documents, and West is considered a "specialist" in Notary bonds and errors and omissions policies.

Association President Rothman, a Notary for more than 20 years, is acutely aware of the many problems that confront Notaries everyday and has dedicated much of his time to improving the image of the Notary profession.

"We feel that every significant area, as it relates to the Notary profession, will be covered more than adequately by these men at the seminar," Valera said.

Jones, the senior partner of the law firm of Jones & Wilson, has been practicing law in Los Angeles for more than

15 years. Previous to establishing his own practice in the Miracle Mile district of Los Angeles, he was a general partner for 12 years in the firm of Anderson, McPharlin & Connors.

A 1951 English graduate of the University of Southern California, Jones received his law degree from the same university in 1954 and was admitted to the California Bar a year later.

McCraven has been with the County of Los Angeles for nearly seven years, having spent most of his time in the recordable documents section where he served as a supervisor as well as assisted in examining documents.

A native of Iowa, McCraven attended Drake University in Des Moines.

West has been associated with major banks and bonding companies for more than 20 years. As fidelity and surety department manager at Northwestern National Company, he is responsible for all bond production and underwriting for eight Southern California counties.

Formerly of Seattle, Washington, West is a graduate of the University of Washington where he majored in accounting and finance, receiving his Bachelor of Arts Degree in Economics and Business.

Rothman, who founded the National Notary Association in 1957, is one of the country's experts on Notaries Public, having written the only book of its kind for and about Notaries.

He was graduated from the University of Calif. at Los Angeles in 1943, majoring in Business Administration,

Next NNA Seminar Scheduled for San Francisco 'Later This Year'

The next National Notary Association seminar will be held in the San Francisco area "later this year," a spokesman for the NNA has announced.

A date and site are yet to be determined, the spokesman said, but it is possible that the location of the next seminar could be in a city outside of San Francisco such as Palo Alto or Oakland.

Date of the event would "probably be in the fall," the spokesman said, "perhaps in September."

Much of the plans for the San Francisco gathering are still in limbo and will hinge on the success of the format utilized at the Los Angeles seminar, April 22, at the Sheraton Universal Hotel. There have been a few

(Continued On Page 7)

Standards

Notarian™

Rules of Notarial Practice

Mandate

To competently and impartially perform all notarizations so that the public at large can rely upon the authenticity of the document and the identity of the signers.

Rules of Ethics

A Notarian should. . .

- I Avoid being associated with a notarized document that is likely to be used for false, misleading or fraudulent purposes.
- II Exercise reasonable care to avoid using or allowing use of the titles of Notary Public and Notarian for false, misleading, fraudulent, or discriminatory purposes.
- III Receive a fee for services as a Notary Public-impartial witness and not serve both in the capacity of Notary Public-impartial witness and advocate advisor in connection with the same transaction.
- IV Serve as an unbiased and impartial witness and not give advice regarding the legal sufficiency or subject matter of the document to be notarized.
- V Observe the constituent to see that he or she appears to be mentally competent and aware of the significance and importance of the agreement, promise or declaration to be notarized.
- VI Serve at all times to maintain and preserve the dignity, solemnity and sincerity required in connection with the performance of the notarial act.

Rules of Procedure

A Notarian should. . .

- I Ask the constituent to present proper and sufficient evidence of his or her identity at the time of performance of the notarial act.
- II Obtain the signature of the constituent in the journal of notarial acts at the time of performance of the notarial act.
- III Compare the signatures made by the constituent on the document and in the journal of notarial acts at the time of performance of the notarial act, with the signatures on the constituent's evidence of identity.
- IV Make identifying marks, emboss, and apply notary tape in critical areas on the document and notary's certificate.
- V Record, in the journal of notarial acts, a description of the constituent's evidence of identity, pertinent information about the constituent, and the date, time and place where act was performed, at the time of performance of the notarial act.
- VI Record, in the journal of notarial acts, a description of the notarized document.
- VII Record, in the journal of notarial acts, a description of the identifying marks, embossments, and whether notary tape was applied in critical areas on the document and notary's certificate.
- VIII Keep a copy of a document, for which a certified copy has been made, in a safe place.

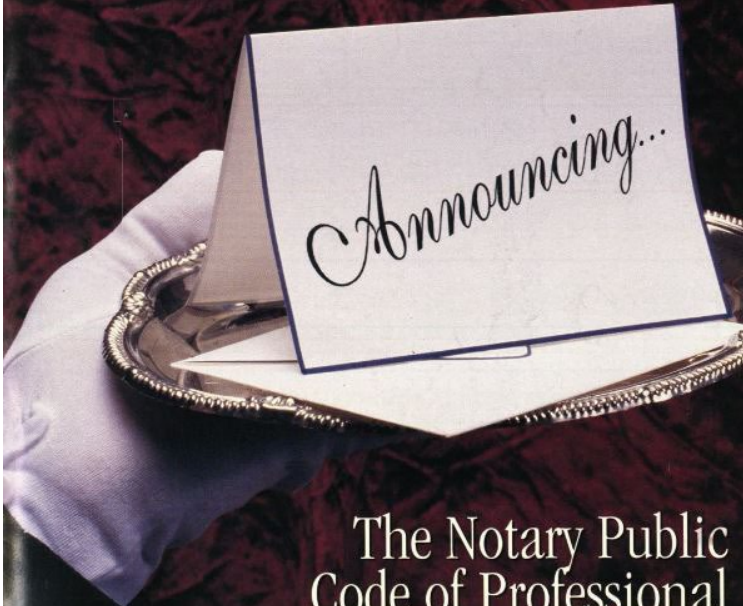
Keep the notary seal, journal of notarial acts, and notary tape in a locked drawer or compartment.



JULY/AUGUST 1976 11

The National NOTARY

November 1998
Official Publication of the National Notary Association



The Notary Public Code of Professional Responsibility

Community



The Honorable Wayne Minami, attorney general for the State of Hawaii, delivers the keynote speech at the Farewell Banquet.

1st Ever For U.S. Notaries

Conference '79: Making History In Hawaii



Association President Raymond C. Rothman presents the first NNA Achievement Award to California Secretary of State March Fong Eu for her contributions to the improvement of notarial practices and professionalism.

CONFERENCE '79: Busy delegates and guests; informative workshops, seminars and guest speakers; exciting luaus and catamaran cruises; lunches by the pool; the Bureau of Conveyance; the Farewell Banquet; Achievement Award '79; beautiful Waikiki Beach and Diamond Head; shell leis; wonderful tropical weather . . .

Conference '79 was all this and much more, a whirlwind of educational and recreational activities from the moment that delegates convened for the "Kick-Off" breakfast. By the time planes returned to the mainland eight days later, one word could have summed up the entire experience: *success*.

Excellent attendance was the first sign of success. Over 300 delegates and guests participated in Conference '79. This tremendous turnout included delegates from more than 15 states, several state Notary officials, and representatives from the International Union of Notaries Public (with members in Europe, Canada, South and Central America, Japan, and many other countries).

Representing the Japan Union of Notaries Public was its chief official, Kakuichiro Ogino, and from Acapulco, Mexico, came the special envoy of the Latin Union, Julio Garcia Estrada.

Also present at the Conference were several state Notary officials, who met with NNA executives for impromptu discussions of notarial legislative prospects. Included were Raymond Whalin, Washington's

Innovation

'THE VOCATION OF NOTARY SIGNING AGENT HAS ARISEN TO FILL A CRITICAL NEED IN THE MARKETPLACE ...'

THE NNA'S POSITION

Late last fall, the two-year-old National Association of Signing Agents (NASA) approached the National Notary Association for assistance in setting guidelines, standards and educational requirements for a new vocation called a "Signing Agent." The result was the establishment in January of a strategic alliance between the organizations to "better serve consumers and help guide and train Notaries on the requirements of the burgeoning 'signing agent' field."

Since January, the NNA has been deluged with requests for information from a host of interested and concerned parties. From state administrators to mortgage industry executives, from Notaries to home-owners, from secretaries of state to Congressional and state legislators, have come questions.

Increasingly, we have come to realize that the phenomenon called "Notary Signing Agent" is indeed real and demands an organized support system with structured ethical standards and a sound educational foundation for all practitioners. And because there are still a handful of states reluctant to embrace the new vocation for fear that Signing Agents will overstep the American Notary's traditional ministerial role, the NNA has accepted the challenge to establish operating guidelines and an educational system for these Agents.

Accordingly, the NNA sets forth the following three-point position on Notary Signing Agents:

- The vocation of Notary Signing Agent has arisen to fill a critical need in the marketplace and any efforts to curtail operation of this new occupation harms the nation's lending industry. Operation of such Agents should be actively encouraged and supported by state governments because it facilitates growth of the economy.
- Notary Signing Agents, like virtually all other Notaries, wear "two hats" and perform functions distinct from their notarial role. These Agents have just as

much of a right to exist and operate as do Notary Insurance Agents, Notary Legal Secretaries or any other Notary commission holders in countless other vocations and professions.

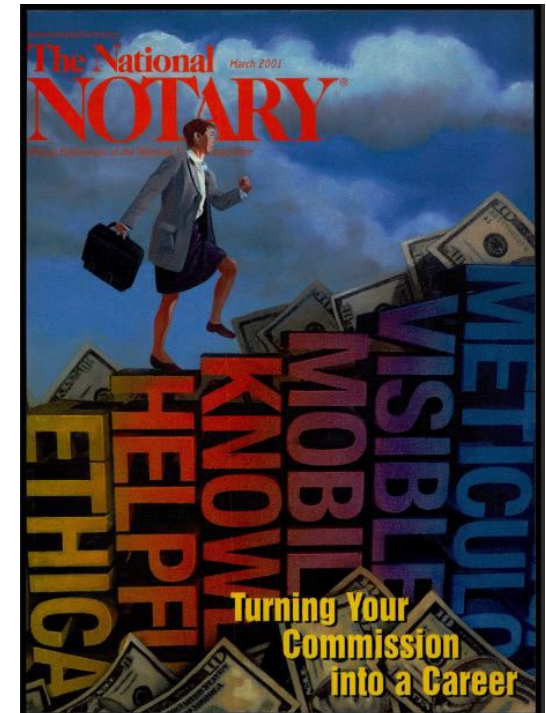
- The Notary Signing Agent's counter and clerical functions are ministerial in nature and no infringement on the function of attorneys and other licensed closing agents.

An important new development resulting from the above-described alliance is the June announcement that the NNA will assume responsibility for NASA operations and merge NASA functions into those of the Notary organization. This move will eliminate inefficient redundancy of effort and link NASA's expertise in the new field with the NNA's vast informational resources and worldwide contacts. It is a smooth and natural fit because the aims of the two organizations — educating and supporting Notaries — are congruent.

NASA founder Susan Pense has joined the staff of the National Notary Association and will bring her considerable expertise and energy to bear on this important new initiative. A new Notary Signing Agent Section of the NNA has been formed, and a new Notary Signing Agent Certification Course is now being offered.

The NNA will build on, improve and expand the benefits of NASA membership, including provision of a professional code of ethics and conduct; a revamped and modernized Web site; an enhanced online listing service; increased recruitment of mortgage lenders, escrow companies and title organizations to use the online listings; a fair and nationally consistent fee schedule and a workable industry-wide billing system; educational seminars and special clinics with industry executives; a professional newsletter; a telephone "hotline" service for members to call with questions; new Notary Signing Agent-specific products; and more.

Announcements and details about these exciting new developments will be forthcoming in the months ahead.



Support



(213) 347-2141

It's Your Hotline!

Faced with a suspicious looking document? Beneficial interest conflict? When you need immediate answers to your notarial questions, help is just a phone call away.

Just call the National Notary Association's Information Service "Hotline," give your membership number, and within seconds you will be connected with a skilled Notary expert. These qualified authorities will give you the benefit of the NNA's three decades of experience in notarial education and assistance. This "Hotline" is an exclusive benefit for NNA members.

The NNA can help provide the solutions and guidance you need to properly execute your notarial responsibilities. By phone or mail, the NNA is always on "stand by" to help you.

Knowledge

The Definitive Legal Reference

Notary Law & Practice

■ Your Authority on Notary Principles, Statutes and Case Law

*The most
important
work on
Notary law
yet
published*

How far will an unscrupulous person go to dupe a Notary into accepting false identity?

How accountable are employers for the actions of their Notary-employees?

What is the legal standard of care for Notaries?

Is it possible that a notarization intended to lend authenticity to a document can have the opposite effect?

Good questions.

And every Notary, attorney and legal

professional should have the answers.

In fact, every person who works with or relies on notarized documents as part of their business needs to know what's what about the process of notarization.

A Breakthrough Publication

Here's a comprehensive legal reference that answers these questions and more. Much more.

Five prominent law school professors wrote *Notary Law & Practice* to serve as the official text at law schools.

Now you can benefit from this invaluable resource.

Helps You Avoid the Unauthorized Practice of Law

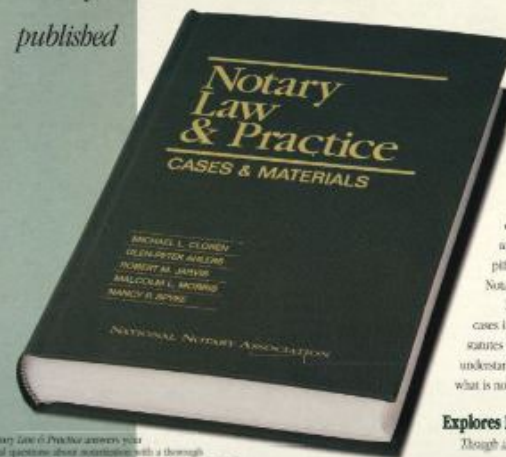
Notary Law & Practice defines the Notary's sensitive role in handling legal documents.

This book is indispensable for determining what constitutes the unauthorized practice of law — a pitfall that can lead to lawsuits against Notaries and their employees.

It's a thorough examination of legal cases involving Notaries. Through case law, statutes and published works, you'll understand precisely what is acceptable, and what is not.

Explores Practical Problems

Though it's a legal text, Notary Law & Practice



Notary Law & Practice answers your legal questions about notarization with a thorough examination of Notary responsibilities, laws and court cases.

THE LATEST — MOST COMPLETE — BOOK ON NOTARIES

NOTARY PUBLIC PRACTICES & GLOSSARY
Raymond C. Rothman

WHY a book about Notary Public practices?

Attorneys, bankers, real estate brokers, insurance agents and securities dealers — all are involved with the responsibilities and obligations of a Notary Public. The Glossary contains over 500 words and terms that may be familiar to a banker but not to an insurance agent, for example.

WHO should read this book?

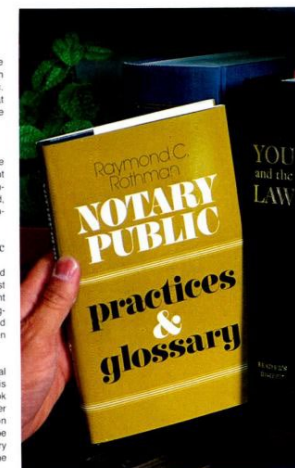
Everyone in the U.S. will at some time in his life be required to depend upon the services of a competent Notary Public. The Notary Public of today must be informed and aware of the alarming increases in fraud, forgery and bogus transactions caused in part by improper notarial acts.

WHAT is there to learn about Notary Public practices?

Why a Notary seal embosser should always be used ... why a *Journal of Notarial Acts* is more important than ever before ... what certificates of acknowledgment to use and how to use them ... words and terms that everyone should know whether he is an attorney, a banker, or a homeowner.

U.S. Notaries have traditionally been adjuncts to the legal, real estate and banking professions; it's rare that a Notary is thought of independently from another profession. This book takes a new look at Notaries — separate and apart from other professions and occupations — and a new look at notarization in the 20th century. No one in the United States should be without this important reference text today. It brings the Notary profession from obscurity into sharp focus and highlights the profession from a unique point of view.

AN INVALUABLE REFERENCE TEXT



Free Resources Today



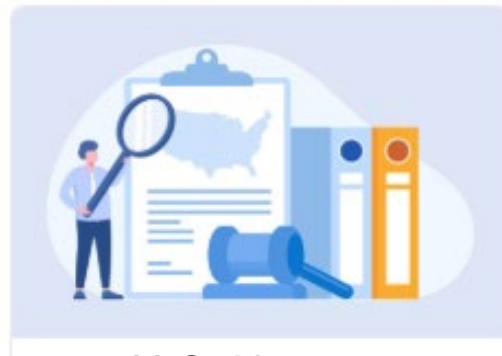
New Notary Laws



Notary Law Tracking



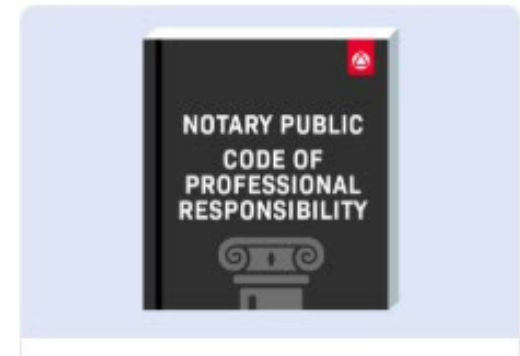
State Notary Laws



**U.S. Notary
Reference**



Model Notary Act



**Code of Professional
Responsibility**

NNA Conference 2027

NNAConference

May 23–25, 2027

Step into the spotlight at the industry's largest event for Notaries and Signing Agents. Join us in Hollywood for three inspiring days of learning, connection, and action to help you grow your business and reach your goals.

Register Now!



Notaries Are More Important Than Ever

THE NATIONAL
Notary Bulletin

SPECIAL REPORT

Notaries are more important than ever
amid the rise of Artificial Intelligence.

By Phillip Browne

