

**NOTARY WEBINAR**  
Secretary of State, Corporation Division

**Advanced Notary Training**

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[sos.oregon.gov/business](http://sos.oregon.gov/business)

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# Resources


- Forms: <https://sos.oregon.gov/business/Pages/notary-public-forms.aspx>
- The Notary Public Guide, Statute and Rule, sample certificates, and more: <https://sos.oregon.gov/business/Pages/resources-aids-notarization.aspx>
  - Notary discussion forums, bulletins, and more: <https://www.nationalnotary.org/>

# AGENDA

- Special situations in practice
- Special situations in journal entries
- Special situations with certificates
- Electronic notarization
  - IPEN
  - RON
- Establishing a notary business
- Personal Safety
- Avoiding scams



# Special situations in practice

- I-9 verifications
  - Concerns about signer willingness and capacity
  - Identifying fraudulent IDs
- 

# I-9 Verifications

- Require verification of identity, so employees often sent to notaries
- Do not have notary certificate wording
- Do not require notary stamp
- I-9 verification is not a notarial act
- Notary may only perform I-9 verification as a representative of the hiring company

# Concerns about signer willingness or capacity

- Willingness
  - Speak to signer alone
  - Ask questions
  - Explain purpose of document if requested, NOT contents of document
- Capacity
  - Determine whether temporary or ongoing
    - Ask clarifying questions
    - If temporary, you can arrange to perform notarization at another time

# If diminished capacity is ongoing...

- Statute requires you to refuse the notarization if you have concerns about signer's willingness or capacity
- Concerned, and want to report?
  - **Call 1-855-503-SAFE (7233)**
  - click on [www.oregon.gov/dhs/abuse](http://www.oregon.gov/dhs/abuse)

# Special situations in journal entries

- Signature by 3<sup>rd</sup> party
- One person, two docs
- One person, many docs
- One person, many appearances



# Signature by Third Party

- Allowed if:
  - Signer is physically unable to sign
  - Signer directs another individual to sign
  - Notary inserts appropriate language in certificate:  
“Signature affixed by (name of other individual) at the direction of (name of signer)”

# Signature by Third Party

State of Oregon

County of Lincoln

Signed before me on Jan. 25, 2017, by Sherman Peabody.

**Signature affixed by Jenny James at the direction of Sherman Peabody.**

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Notary Public – State of Oregon



OFFICIAL STAMP

NOTARY QUE PUBLIC

NOTARY PUBLIC-OREGON

COMMISSION NO. 123456

MY COMMISSION EXPIRES JULY 11, 2020

# Journal Entry: Signature by Third Party

Date/Time of Act	Type of Act	Doc. Date	Doc. Type	Printed Name Contact Address	Signature	ID	Additional Info	Fee
01/25/2017 11:30 a.m.	N/A	N/A	N/A	Jenny James 2200 Neighborly Ln Yourtown, OR 97888	Jenny James	ODL 7/4/2023	Signer for Sherman Peabody	N/C
01/25/2017 11:30 a.m.	Witness	01/25/17	Insurance claim	Sherman Peabody 2200 Neighborly Ln Yourtown, OR 97888	Sherman Peabody by Jenny James	US Passport 1/11/2025	N/A	\$10

# One person, Two docs

Date/Time of Act	Act	Date of Document	Type of Document	Printed Name Contact Address	Signature	ID	Additional Information	Fee
05/12/2023	Witness Oath	5/12/2023 5/12/2023	Grant Deed Affidavit	Jane Doe Jane's address	Jane Doe	ODL 06/20/2026	Two separate documents notarized	\$20

# One person, many documents

Date/Time of Act	Type of Act	Date of Document	Type of Document	Printed Name Contact Address	Signature	ID	Additional Information	Fee
1/1/18 9:30 AM	Ack.	1/1/18	POA	Jane Doe Jane's Address		Jane's ID		None
" "	Jurat	" "	Contract	" "		" "		" "
" "	Copy	" "	Corp. Resolution	" "		" "		" "
" "	Wit. Sig	" "	Order	" "		" "		" "

# One person, many appearances

Date/ Time of Act	Type of Act	Date of Document	Type of Document	Printed Name Contact Address	Signature	ID	Additional Information	Fee
05/12/2023	Ack	05/12/2023	POA	Jane Doe See p.2, line 3	Jane Doe	See p.2, line 3	3 copies	\$30



# Special situations with certificates

- Hybrid certificates
- Wrong certificates

# Jurat & Acknowledgment

## ASSIGNMENT OF DEED OF TRUST

FOR VALUE RECEIVED, The undersigned hereby grants, assigns and transfers to Oregon Board of Housing, whose address is PO Box 20000, Portland, OR, all beneficial interest under that certain Deed of Trust dated 1/7/2016, executed by John Q Public and Susie Q Public, Grantors, to ABC Bank, Trustee, recorded on ....

Together with the note or notes described or referred to, the money due or to become due thereon with interest, and all rights accrued or to accrue to the said beneficiary under said Trust Indenture.

Dated: \_\_\_\_\_

XYZ BANK OF OREGON

\_\_\_\_\_  
Robert Smith, VP

\_\_\_\_\_  
Mary Johnson, VP

STATE OF OREGON  
County of \_\_\_\_\_

On this \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known or identified by satisfactory evidence, being duly sworn by me did say that he/she is the \_\_\_\_\_ and \_\_\_\_\_ of the corporation named herein which executed the within instrument, that said instrument was signed and sealed on behalf of the corporation pursuant to its by-laws or a resolution of its Board of Directors and that he/she acknowledges said instrument to be the free act and deed of the corporation.

\_\_\_\_\_  
Notary Public

*Where*

*When*

*Who*

*What Act*



## Jurat /Acknowledgment

State of Oregon

County of Multnomah

On this 12<sup>th</sup> day of May, 2016, George Johnson appeared before me and

did swear/affirm that he/~~she~~ acknowledged his/~~her~~ signature on the attached document freely and willingly.

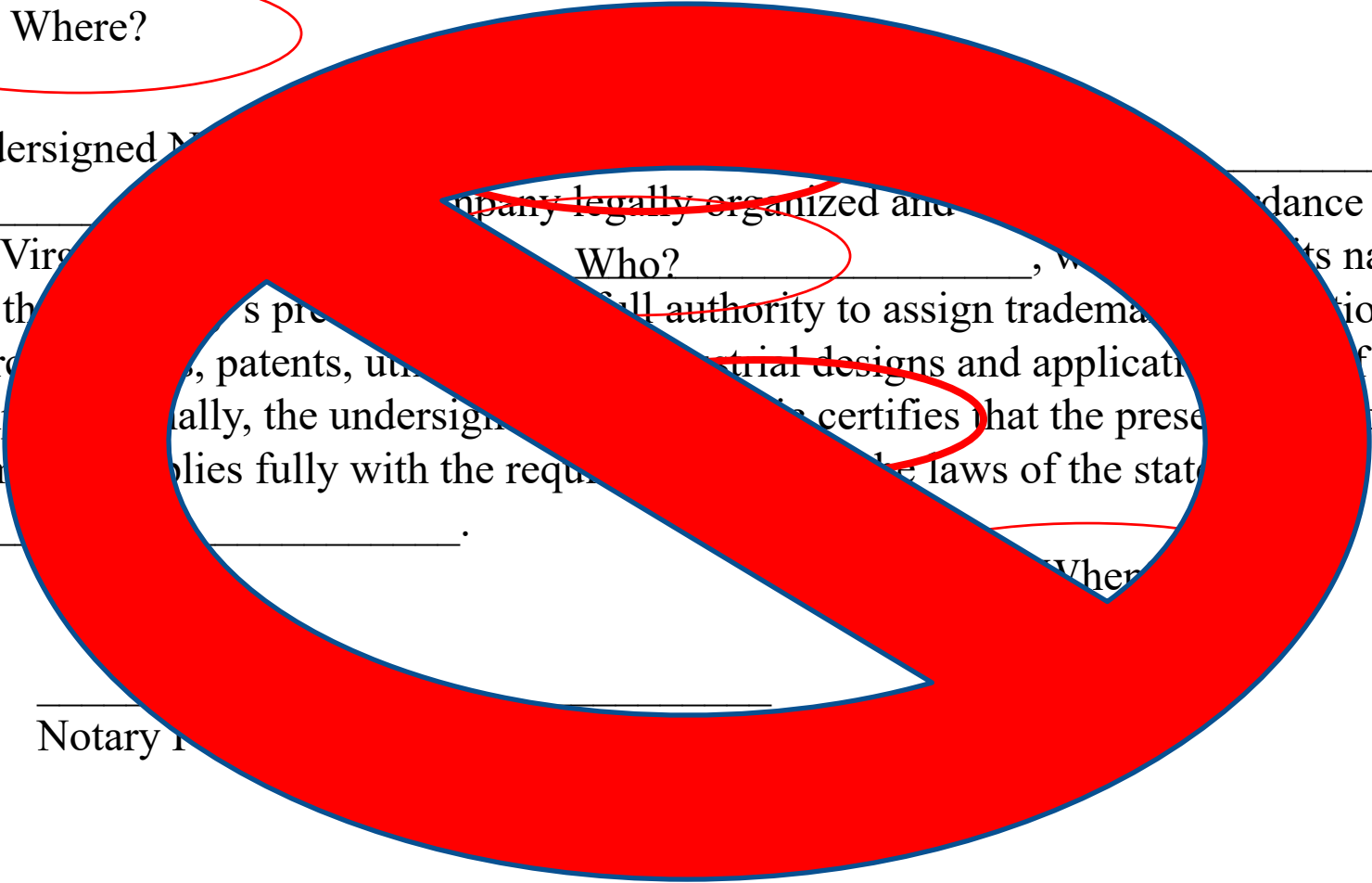
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Notary Public

Where?

The undersigned M \_\_\_\_\_  
\_\_\_\_\_ company ~~legally organized and~~ \_\_\_\_\_ in accordance with the  
laws of Virg \_\_\_\_\_ Who? \_\_\_\_\_, w \_\_\_\_\_ ts name and  
stead is th \_\_\_\_\_ s pre \_\_\_\_\_ full authority to assign tradema \_\_\_\_\_ ions, slogans,  
commerc \_\_\_\_\_ s, patents, ut \_\_\_\_\_ trial designs and applicati \_\_\_\_\_ f belonging to  
the com \_\_\_\_\_ ally, the undersign \_\_\_\_\_ te certifies that the prese \_\_\_\_\_ of  
Assignm \_\_\_\_\_ lies fully with the requ \_\_\_\_\_ e laws of the state \_\_\_\_\_  
\_\_\_\_\_ .

Notary \_\_\_\_\_



ID VERIFICATION CERTIFICATE

On \_\_\_\_\_

County of \_\_\_\_\_

personally appeared

and \_\_\_\_\_

WHO?

\_\_\_\_\_ person  
\_\_\_\_\_ were present  
\_\_\_\_\_ on. Please list the \_\_\_\_\_

I have examined the documents listed  
\_\_\_\_\_ named person and appear to be genuine  
\_\_\_\_\_ to you below:

These  
\_\_\_\_\_ relate to

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

# California Certificate

State of ~~California~~

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

~~I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.~~

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public (Notary Seal)



# In-person electronic notarization (IPEN)

- Signer in-person, documents electronic
- Work with an approved vendor (mainstream videoconferencing software is unacceptable)



# The Process

- Signer is present.
- Documents are onscreen.
- Customer signs document.
- Customer signs journal.
- Notary completes certificate.
- Notary stamps and signs certificate.
- Documents are sent.

# Registration

- **First:** find a NENS – compliant vendor
- **Second:** notify the Secretary of State.
  - Submit form with stamp and signature example in PDF format.
- More info: <https://sos.oregon.gov/business/Pages/remote-online-notarization.aspx>

# Remote online notarization (RON)

- Entire process online (notary must be in Oregon, signer can be anywhere)
- Work with an approved vendor (mainstream videoconferencing software is unacceptable)



# The Process

- Meet via audio-visual technology.
- ID signer via KBA & regular ID.
- Document uploaded to RON platform.
- Journal entry created via RON platform.
- Customer signs via RON platform.
- Notary stamp and signature via RON platform.
- Document returned to signer via RON platform.

# Registration

- **First:** Complete the required RON training
- **Second:** Choose a RON Platform
- **Third:** Notify the Secretary of State
  - Send in Remote Notification Form
  - You must receive approval from SOS before you begin RON notarization
- More info: [sos.oregon.gov/business/Pages/remote-online-notarization.aspx](https://sos.oregon.gov/business/Pages/remote-online-notarization.aspx)
- Approved vendors: <https://sos.oregon.gov/business/Pages/remote-online-notary-vendors.aspx>

# NSA & Mobile Notary

- Mobile Notary – notary willing to travel
- Notary Signing Agent – mobile notary specializing in loan document signings
  - Independent contractor
  - Fees through lender and title companies, not signer
  - Requires private certification
  - Probably requires errors and omissions insurance/bond

# Things to Remember

- Get training if you need it
- Plan for any extra requirements:
  - Proper licenses, registration, taxes, insurance
  - Supplies, tools
  - Marketing/networking
- Take advantage of existing support
  - Business Xpress, SBDC, SCORE

# Detecting false identification

- Most-frequently altered areas of IDs
  - Birth date
  - Expiration date
  - Photo
- Look at both sides of ID for obvious signs of alteration
  - Distorted printing
  - Numbers or letters that are out of line
  - Cuts, slits, pinholes
  - Incomplete or peeling lamination
  - Raised edges around the photo

# TIPS

- Do not allow yourself to be rushed through checking identification
- Never make an exception to the signer appearing before you (if your signer is signing for someone else, they MUST have a POA to prove their authority to do so)
- Pick a method for checking ID and use it consistently
- If you have concerns, ask for a second form of ID
- More information and suggestions:  
[https://www.oregon.gov/olcc/docs/responsible\\_vendor\\_program/RVP\\_Tips\\_CheckingID.pdf](https://www.oregon.gov/olcc/docs/responsible_vendor_program/RVP_Tips_CheckingID.pdf)

# Personal Safety

- When traveling to customers, exercise caution about location
  - Make sure someone knows where you are and when you plan to return
- If you are concerned about meeting someone in private, meet at a public place
  - Provide as much privacy as you can
  - Be vigilant about protecting signer information
- If you feel your safety is in danger if you refuse a notarization:
  - Complete the notarization
  - Contact law enforcement as soon as you have gotten to a safe place

# Avoiding scams

- Evaluating websites:
  - Check to see who is behind them (organization? individual?)
  - Examine their qualifications for expertise (appropriate training and certification?)
  - Consider their services, particularly if they are charging a fee (is this something you could do for yourself?)
  - Evaluate their claims (are they realistic, given the fees mandated by Oregon statute?)
  - National professional organizations are your best source for properly-vetted information

Common sense is your best self-defense!



# Resources

- National professional organizations for notaries:
  - National Notary Association: <https://www.nationalnotary.org/>
  - American Society of Notaries: <https://www.asnnotary.org/>
- Support for your notary small business:
  - BusinessXpress:  
<https://www.oregon.gov/business/Pages/index.aspx>
  - SBDC: <https://oregonsbdc.org/>
  - SCORE: <https://www.score.org/>

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