

The Notary news



The North Carolina Department of
The Secretary of State, Elaine F. Marshall

STAY SAFE + HEALTHY, NC NOTARIES!



NC Secretary Of State
Elaine F Marshall

Discusses the importance of
IDENTITY
For NC Notaries and Gardeners Alike

Message from Secretary Elaine Marshall

Wow this heat is showing us that we certainly are in the middle of the Dog Days of Summer. I think my thermometer must be stuck on the 90-degree mark. Yikes. Stay cool and stay hydrated, notaries. And of course, don't forget to wear your masks as we still are facing a global pandemic.

I want to take this opportunity to thank each and every one of you for being flexible during these times. As you know by now, the sunset for Emergency Video Notarizations has been extended from August 1, 2020 to March 1, 2021. This extension gives our notaries the ability to perform their notarial acts while staying safe and healthy.

As Secretary of State, I truly understand how important it is for the business transactions of our state to continue, even during an international crisis that none of us has the ability to control. However, the health and welfare of all our notaries is much too important to us. That's why we worked with the state legislature and Governor Cooper to find safe measures for you to continue serving in your roles as public officials.

We have asked those of you who don't feel comfortable performing in-person notarizations to perform Emergency Video Notarizations. And many of you have. I know this temporary way of notarizing documents hasn't always been easy. I know because you call and email our office for guidance and post your questions and concerns on our Facebook group. We hear you, and we know that you are doing the best you can to pivot in this "new reality".

So thank you again for working together as one notary team to serve on the frontline of defense against fraud and forgery even during these challenging times. The people of our great state depend on us to properly notarize documents, and because of you, they still can count on us to do so.

Let us know how we can continue to be helpful to you in performing emergency video notarizations or anything else.

Elaine J. Marshall

Please send in your tips, practice ideas, and questions for us
at notarynews@sosnc.gov.



Fast Five Q &A

Q: From our Facebook group: My renewal is coming up, and I was wondering if I had to take the class again to renew my notary commission?

No. You do not have to take the notary class again, but you have to take the test to be recommissioned unless you have been continuously commissioned since July 10, 1991, or if you are an attorney. Use this link to log on to the Secretary of State's website:

https://www.sosnc.gov/Online_Services/Account/Sign_In?ReturnUrl=%2Fonline_services%2Fnotary%2Freappointment to begin the process of reappointment.

Also you must pass the test with a score of at least 80%.

Q: Another North Carolina notary asked on our Facebook group: What do I tell someone who asks me which notary certificate they should use on a document that doesn't have one?

When a signer gives a notary a document to notarize that doesn't include a notary certificate, the notary must ask the signer which type of notarization is needed. Notaries cannot make that determination.

The law authorizes the notary to provide a selection of the statutory notary certificates from which the signer can choose.

Q: Another Facebook group question: Can I notarize the title for my

husband's vehicle that he's selling. The vehicle is not in my name.

As a notary, your role is to serve as an impartial witness to the signing of important documents. Although not prohibited, it is a best practice to not notarize for immediate family members to avoid any appearance of a conflict of interest.

Q: Another question came to us via email: Are we allowed to accept expired driver's licenses as acceptable ID since the DMV is offering extensions due to COVID-19.

Yes. DMV credentials that expired after March 1, 2020 and before August 1, 2020 automatically received a five (5) month extension of the expiration date and are acceptable forms of satisfactory evidence of ID for national purposes.

Q: From Facebook again: My stamp has my county on it. I forget, is this the county that I live in or work in?

Don't worry. We get this question all the time. The county on your stamp is the county of your residence (unless you live in another state and only work in North Carolina). Remember, the "State of...County of..." section of the notary certificate must reflect the county where the notarization took place.

If you moved to a new county after taking your oath of office, you will remain commissioned in the original county where you took your oath until your commission expires. As a notary, you are allowed to notarize documents in all 100 counties in North Carolina.

Do you have a question you'd like us to answer for the **Fast Five**? Let us know. Email us your question at notarynews@sosnc.gov.



Notarization Explained in Eight Simple Steps

In May, we started the series detailing the Eight Simple Steps to Notarize a Document. Our notaries are asking great questions on social media and through our email account, so we decided to step back and go through the Eight Simple Steps you need to do for your notarial act. We will address them one at a time in each newsletter.

We have looked at *Require the Personal Appearance of the Principal Signer(s) of the Document* and *Positively Identify the Principal Signer(s) of the Document*.

This month tackles the **Third Step**:

Step 1: Verify the Signature on the Document

The very act of notarizing a document centers around one simple thing: a signature. That's because it's really the signature that binds the principal to the statements in the document.

Remember if you are performing an **acknowledgment**, the document may or may not be signed in your presence. If the document presented to you has already been signed, be sure that the signer acknowledges that he or she signed the document willingly. (General Statue [10B-3(1)]).

If you are performing an **oath** or **affirmation**, the principal **MUST** sign the document in your presence. This is important because the jurat wording associated with an oath or affirmation says that the document was signed and sworn by you -- the notary.

If you discover that the document has already been signed, have the principal sign it again in front of you so you can make a proper attestation. There are no

exceptions to this. Failure to have the principal sign the document in your presence when executing an oath or affirmation is official misconduct.

Also important to note, there are no circumstances where a notary can perform a notarial act if there is no signature on the document. A mark can be a signature. (General Statute [10B-20(d)]).

If you have additional questions about this or other subject matters, our office is available to answer them. Reach out to us at notary@sosnc.gov.



COVID-19 + Notaries

Sunset for Emergency Video Notarizations Has Been Extended:

The sunset date for conducting emergency video notarizations is now March 1, 2021.

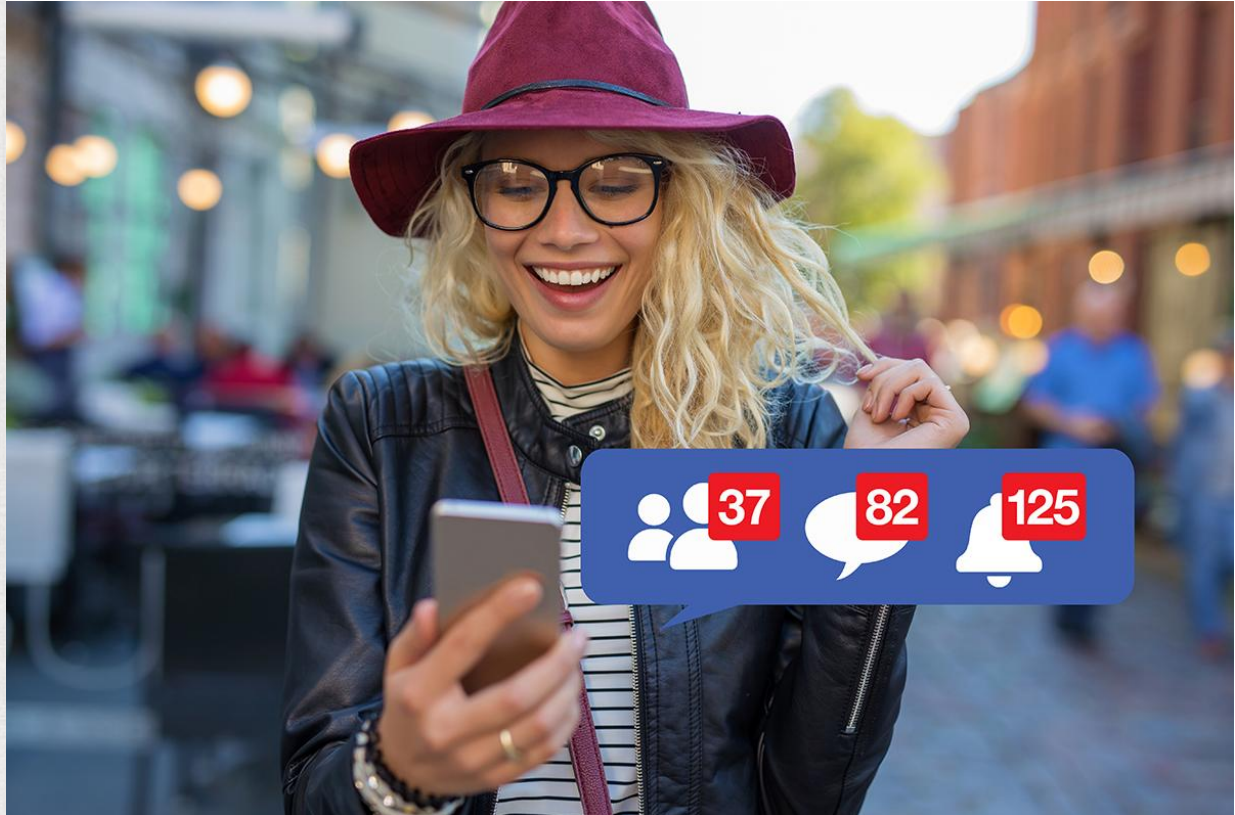
Notary Oath Extensions:

Notaries still have 90 days to take their oaths at the Register of Deeds Office in their county of residence. This length of time was extended from the traditional 45 days that notaries typically have to appear before the Register of Deeds. The 90 day period starts on the issue date found at the top of the oath

notification letter that you receive from our office. The 90-day extension deadline is also [March 1, 2021](#).

Register of Deeds Offices:

Notaries need to contact the Register of Deeds Office in their county of residence about their hours of operation during the coronavirus pandemic. Some of these offices are accepting walk-ins while others are requiring appointments.



NC Notary Facebook Group

Have you joined our notary Facebook group *The North Carolina Notary Network* yet? Well, what are you waiting for? More than 5,535 notaries around the state have signed up to join us. If you haven't yet, come join!

The purpose of the group is to connect notaries across the state as well as to share information.

Click [here](#) to join today!





America's Top 10 Ice Cream Flavors

"I Scream. You Scream. We all Scream for ICE CREAM!"

This 1925 oldie but goodie by Waring's Pennsylvanians is more than just a song to many of us. It's a delicacy that we enjoy all year long. But there's nothing like the smooth creamy taste of this cold sweet treat during hot summer days.

So we are asking all you ice-cream lovers to take a guess about what the International Dairy Foods Association (IDFA) said are America's Top Ten Ice Cream Flavors.

Send your ranking in order to notarynews@sosnc.gov by August 10, and we will post the correct answer on the notary [facebook](#) group. Here are the choices for you to rank:

**birthday cake
buttered pecan
chocolate
chocolate chip cookie dough
cookies and cream
mint chocolate chip
moose tracks
neapolitan
strawberry
vanilla**

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