

The Notary news



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



WELCOME, NC NOTARIES!



Happy Thanksgiving

Happy Holiday Season. As we enter the Thanksgiving season, I want to take this time to say how grateful I am to the 158,866 notaries public all around the state. Thank you for serving North Carolina with integrity and accuracy, as you are on the front lines of defense against fraud and forgery.

Thanksgiving is a time to reflect on the blessings in our lives. I am grateful for my family and friends. I am grateful for the fact that I am alive. And as a fellow notary, I am extremely grateful for the people of North Carolina whom I am happy to serve.

I hope each and every one of you have a wonderful Thanksgiving. This holiday provides us with the perfect excuse to eat too much turkey and dressing, green bean casserole and scrumptious pecan pie. Mmmm.

But Thanksgiving is about more than delicious food. It's a time to stop and count our blessings and remember WHY we should be grateful. As author Roy T. Bennett said, "When one has a grateful heart, life is so beautiful."

And I believe it is.

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



Fast Five Q&A

Q: If I live in one county, can I notarize a document in another county?

Yes. A notary is allowed to notarize documents in any one of the 100 counties in North Carolina.

Q: Who are the two people that a credible witness must know?

A credible witness must know the notary and the principal. In order to be a credible witness, all of the following must apply:

- a. The notary must personally know the credible witness
- b. The notary believes the individual to be honest and reliable for the purpose of confirming to the notary the identity of another individual
- c. The notary believes the individual is not a party to or a beneficiary of the transaction
- d. The credible witness must swear or affirm that the principal has the identity claimed

Q: How much may I charge for my notarial services.

The maximum amount of money that a notary may charge is \$5 per principal signature for acknowledgements, jurats, verifications or proofs. A notary may charge up to \$5 per person for oaths or affirmations without a signature.

No additional fee can be charged for administering an oath or affirmation to the credible witness above and beyond the fee charged for the actual notarial act.

Q: What can I do if my seal is too faint to read because of an uneven application or a bad impression?

You won't be the first or the last notary that this will happen to. What's important to remember is that your seal impression must be legible so another impression will need to be made near the initial one.

Don't try and correct the first impression with a pen or ink. You don't want to be accused of tampering with a document and causing it to be rejected. Notaries are actually prohibited from altering a notary seal impression (10B-37(c1)).

Q: Where should the notary seal be placed?

Placing the notary stamp on the document is one of the most important steps in providing a notarial service. The impression of the notary seal must be placed near the notary's signature and on the same page as the notary certificate wording.

You need to make sure you are not covering any language including your official signature or commission expiration date.

The only exception is on a DMV title. Because you typically do not have enough room on the form, when you affix your seal, it may cover up some of the language.

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



Why Notaries Journal

Since we created this newsletter and the Notary Facebook group, one of the most asked questions from NC notaries has been if notaries are required to keep a journal.

We appreciate the questions, so please keep them coming!

Becoming a notary is an honorable achievement. As you hear us say many times, your job is to serve the public as an impartial witness in signing important documents.

We asked Ozie H. Stallworth, Director of Electronic Notarization and Notary Enforcement in the Office of the Secretary of State, to share with our readers the answer to this question:

"It has been asked by you all, 'Is it mandatory for a notary to keep a journal?'. To which I ask each duly appointed notary public serving this great state as a trusted public officer to consider the following and let us know why you would choose to do anything less.

Notaries have a statutory responsibility to protect the public from fraud and forgery according to N.C.G.S. 10B – 2(1)(3). The official notary record is both recognized and protected under penalty of a class I felony for misuse in the same manner as the notary seal according to N.C.G.S. 10B-60(f).

Keeping a notary journal is essential to providing the highest level of protection against fraud and forgery that a notary can offer to the public and the business community.

As public officers, we as notaries should strive to do no less than what is the

absolute best in fulfilling our statutory responsibility to protect the public from fraud and forgery. The citizens of North Carolina deserve our very best.

It is undisputed that keeping a journal is in the best interest of the public as keeping a journal does the following:

- Is a strong deterrent of criminal activity in that would-be criminals think twice before presenting a forged signature to a notary knowing that they will be asked to leave proof of their request in the form of their signature in a journal.
- Provides valuable evidence to law enforcement officials investigating notary misconduct and criminal activity related to many forms of document fraud.
- Provides a level of protection for the notary in the event that a signer later tries to disown a signature by providing clear evidence in the form of the person's signature that he or she did appear before a notary on a given day to request a notarization.

To ensure that the expense of purchasing a journal could be mitigated, we have posted a downloadable journal page which can be printed, copied and bound, on our website at the following link:

https://www.sosnc.gov/documents/forms/notary_instructor/Notary_Journal.pdf.

So as trusted public officials, let's move past the question as to whether the statute expressly "mandates" keeping a journal, and instead embrace our statutory responsibility to protect the public from fraud and forgery in these uncertain times. The Oaths we took demand that we do no less than our very best. This means acting in full and strict compliance with the notary laws and keeping a notary journal to provide the highest level of protection for our citizens possible."

Reminder: If you don't have a manual, you may purchase one from the UNC School of Government at

<https://www.sog.unc.edu/publications/books/north-carolina-notary-public-manual-2016-print-version>.

As always, if you are unsure of anything, please reach out to the Department at notary@sosnc.gov. We are always happy to help.



What To Include In Your Journal

So exactly what are the elements that you need to make sure are recorded in your journal?

First, be sure that you get a bound notebook. *Before* you complete the notarial act and while the principal is in front of you, be sure to record the following items in your notebook:

- Date and time of the transaction
- Principal's name
- Principal's signature
- Type of identification used
- Type of document notarized
- Type of notarization performed

Important: DO NOT record social security or credit card numbers in your journal.

Keep your journal locked in a secure place with your notary seal and certificates. The Secretary of State's Office recommends that notaries keep their journals for a minimum of 10 years after the expiration of their final commission.



Find A Notary

As we add more and more notaries to our rolls, we want to make you aware of the FIND A NOTARY database located on the Secretary of State's website. This is a place where you can add your own information so members of the public can find you when they are in need of your notarial services.

To help you get added, we put together this step-by-step instructional video *We Hear You* (below) on how to add your name to the Find a Notary Database:

If you have questions, please feel free to send an email to tonotary@sosnc.gov.



NC Notary Facebook Group

Have you joined the notary Facebook group *The North Carolina Notary Network* yet? Well, what are you waiting for? More than 695 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 and answer your questions.

Click [here](#) to join today!



Tips To Get Ready For The Holidays

There's a chill in the air, and the nights are getting colder. This can only be a sign of one thing: **the holidays are here!**

We love the hustle and bustle of this time of year. Decorating the house. Cooking and baking. Shopping for gifts (*we encourage you to shop local when you can*). Christmas movies and music on heavy rotation. Visiting friends and family. And just the overall warm mood that the season puts you in.

Here are 10 ways to get you holiday ready:

- Put up your Christmas tree, menorah or other cultural and religious symbols
- Swap out everyday throws, towels, kitchen items, and pillows for holiday-themed items
- Set your holiday gift and food budget so you don't overspend
- Clean your oven and microwave to prepare for lots of use
- Iron your holiday tablecloths and linens
- Pick out your favorite charity to donate money, toys, clothing, etc.
- Dispose of outdated or broken ornaments and holiday décor
- Record your favorite holiday movies to binge watch all at once in your favorite pajamas
- If you are entertaining guests, make sure you have enough linens and towels and new candles for every room
- Maintain your sense of wonder and joy; practice random acts of kindness and remember the reason for the season

Which one of these Christmas Movie Classics do you think is the best?

(please vote for only one movie)

- A. *It's A Wonderful Life*
- B. *A Christmas Story*
- C. *Home Alone*
- D. *National Lampoon's Christmas Vacation*
- E. *Miracle on 34th Street*
- F. *The Muppet Christmas Carol*

Email us your vote at notarynews@sosnc.gov, and we'll share the results of this *non-scientific* poll in the next newsletter!

NC Secretary of State's Office
www.sosnc.gov | 919-814-5400 |
notarynews@sosnc.gov

