

# The Notary news



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



Notaries, I can't believe sweater weather is almost here, and that means the cold weather season is just around the corner. I don't know about you, but I am happy to have a reprieve from the summer heat and participate in fall activities.

I feel like I say this in every newsletter, but we are still here in the middle of a pandemic, and we cannot let our guard down. We're all continuing to social distance and stay safe and healthy.

As notaries, you know that a global pandemic does not stop the need for you to serve as the first line of defense against document fraud and attempts at forgery in our state. Time and time again, each of you are proving your ability to rise above the challenges we face together to perform your notarial acts with professionalism. I thank you for that.

Our team is working hard to keep you updated about pending Remote Online Notarization legislation. We know this topic has been a popular one based on the conversations about it in the notary Facebook group. Remember, you still

have the ability to perform Emergency Video Notarizations through the end of the year. If you have questions on how to perform EVNs, please visit our [website](#), or feel free to call us.

It goes without saying, but please do your best to stay safe and help your friends and family do the same. We are here for you if you need us.

*Elaine J. Marshall*

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*If you have any questions for us, please reach out to the Department at [notary@sosnc.gov](mailto:notary@sosnc.gov). We are always happy to help.*

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## **Update on Remote Online Notarization**

We wanted to update you briefly on the Remote Online Notarization legislation which is contained in [House Bill 776](#). The House passed its version of the bill many months ago. The Senate recently changed the bill to reflect its own version, but also included an amendment not related to remote notarization around government transparency of state employee records.

The legislation has now ended up in a conference committee and will be negotiated between the two chambers. We will keep you up-to-date on its progress.

In the meantime, the Temporary Emergency Video Notarization law remains in effect until December 31, 2021.





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## **eNotary Classes Available at Community Colleges**

Notaries, many of you have inquired about opportunities to become electronic notaries. Here's a list of the educational institutions in North Carolina currently offering eNotary classes:

**AB Tech CC**  
**Alamance CC**  
**Beaufort CC**  
**Blue Ridge CC**  
**Brunswick CC**  
**Cape Fear CC**  
**Catawba Valley CC**  
**Central Carolina CC**  
**Central Piedmont CC**

**Coastal Carolina CC**  
**Craven CC**  
**Davidson County CC**  
**Fayetteville CC**  
**Forsyth Tech CC**  
**Gaston CC**  
**Guilford CC**  
**Haywood CC**  
**Johnston Tech CC**

**Lenoir CC**  
**Mitchell CC**  
**Pitt CC**  
**Rockingham CC**  
**Rowan Cabarrus CC**  
**Southeastern CC**  
**Southwest CC**  
**Surry CC**  
**Wake Tech CC**

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## Fast Five Q &A

***Q: During the 2020 election, there was not a requirement for a notary to notarize an absentee ballot (just two witnesses were required). Are there any changes for the 2021 municipal elections this fall?:***

Yes. The absentee voter ballots for the upcoming elections will need to be executed before either two witnesses or one notary as was the case prior to the 2020 presidential election.

***Q: Question from our Facebook Group: Is it permissible to notarize something for a son-in-law with no benefit to me?***

Yes, you may notarize your son-in-law's document since there is no benefit to you.

A notary should refuse to notarize a document if he or she is a signer of, or an interested party to, or a beneficiary or a grantor, or otherwise named in some capacity in the document. North Carolina notaries are not prohibited from notarizing for family members as long as there is no financial or beneficial interest in the transaction. However, it is a best practice to have a non-relative notarize to avoid the appearance of any improprieties

***Q. From our Facebook Group: Can the signer of a document add to the***



***document after it has been notarized? I notarized a signature, but the signer did not fill out his printed name on the document. I was told by the person requesting the document that since the document is notarized NO changes or additions can be made at all, either by the signer or notary, and his print name cannot be added. Is this accurate?***

Notaries have no control nor any responsibility for what happens to the document after it has been notarized. Additionally, notaries should not make any changes, additions or deletions to the document itself at any time as this is beyond the scope of the notary's authority.

If presented with a document that has blank spaces, the notary should point them out to the signer and ask them to fill in the blanks with whatever the signer believes is appropriate - whether it be specific information, To Be Determined (TBD) or Not Applicable (NA). Notarizing documents with blank spaces lends itself to fraudulent activities, which notaries are sworn to protect against.

Notaries are prohibited from leaving a blank space in the notary certificate, with the only exception being completing a certificate form provided for in G.S. 47-43 indicating when and where a power of attorney is recorded. Therefore there should never be an instance where a notary will have a need to "add" any additional information to the notary certificate after the fact as the certificate is to be completed at the time of the notarial act.

***Q: From our email account: What do we do if the signer does not have a license or picture ID? Is there another way to prove who they are?***

Notaries may establish the identity of the principal signer through one of three statutory methods, which are: personal knowledge, use of a credible witness, or through satisfactory evidence (use of identification documents). If none of these methods are available to the notary, the notarial act would not be able to be performed by the notary.

***Q: Another Facebook page question: What do I do if the document does not have a notary certificate?***

Notaries are prohibited from affixing the notary seal/stamp on a document that does not contain any notarial language. If presented with a document such as this the notary may display the selection of statutory certificates from chapter 10B and allow the principal to select the certificate they need. Once the signer chooses a notarial certificate, the notary would attach the certificate behind the signature page and complete the notarization.

It would be considered the unauthorized practice of law for the notary to give advice or make a recommendation as to which notarial certificate is needed.

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Do you have a question that you'd like us to answer for the **Fast Five**? Please send in your tips, practice ideas, and questions for us at [notarynews@sosnc.gov](mailto:notarynews@sosnc.gov).



## Get To "Know" our Notaries!

Notaries, we know you are doing great things all over North Carolina, and we want everyone else to know it too. Every month, we will feature our notaries (as long as we have submissions). We want to feature YOU!

We'll make it super easy. Just send us a picture of you, along with your name, where you are from, the number of years (or months) you have been a commissioned notary, and one fun fact that you want us to know about you.

Email us at [notarynews@sosnc.gov](mailto:notarynews@sosnc.gov).





**Amanda Cooke**  
Haywood County

*Amanda's been a notary  
for 14 years.*

Amanda's fun fact is that she  
has THREE associate degrees.

**Dora L. Sneed**  
Durham County

*Dora's been a notary  
for 3 1/2 years.*

A fun fact about Dora is she says  
she absolutely loves purses.



## **COVID-19 + Notaries**

### **Sunset for Emergency Video Notarizations Has Been Extended:**

The sunset date for conducting emergency video notarizations  
is now December 31, 2021.

### **Register of Deeds Offices:**

Notaries must 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 yet?

***The North Carolina Notary Network***

Well, what are you waiting for? More than 9,592 notaries around the state are in the group. If you haven't joined yet, click the link and come on in!

The purpose of the group is to connect NC notaries as well as give notaries an opportunity to share information, tips and ideas with one another.

When answering questions for fellow notaries, we encourage sharing page numbers, statutes or even pictures of citations from the *2016 NC Notary Public Manual*.

Click [here](#) to join today!







## *Fall Mantel Decorating Ideas*

Whether your fireplace is a source for heat or a source for fall décor, it's time to spruce up your fall mantel displays to help bring in the cooler weather season. Fall mantels, warm blankets and cups of hot chocolate or hot apple cider can

really give your home an autumnal glow.

Here are some items for decorating your fall mantel courtesy of *Southern Living Magazine*. (Photos courtesy of the magazine).

- Wooden Accents
- Fruits and Vegetables like Squash, Apples and Pumpkins
- Chestnuts
- Autumn Foliage
- Baskets
- Fragrant Flowers
- Metallic Décor
- Painted Pinecones
- Burlap
- Candles
- Large Letters and Signage/Chalkboards

Colors to consider incorporating into your mantels: orange, red, brown, yellow, and turquoise

For more fall mantel eye-candy, click on this link:

<https://www.southernliving.com/home-garden/decorating/fireplace-mantels>





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