

The Notary news



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

SPECIAL COVID-19 EDITION!

CENSUS
2020



Message from Secretary Elaine Marshall

July 4th ~ Independence Day is this week! It's the Day we commemorate our Declaration of Independence from England 244 years ago. Our freedom is one of the many things that we as a nation have to be thankful for.

One way we can acknowledge our freedom is by taking part in the 2020 Census. I know you notaries are all busy as we navigate these unprecedented times, but I want to remind you all to fill out your 2020 Census forms if you haven't already.

COVID-19 is impacting the Census response rate – North Carolina's response rate is just over 57% at this point, nearly 5% below the national average and more than 7% shy of our state's response to the 2010 Census.

Census data means more than \$1,800 in annual federal funding for every man, woman and child living in North Carolina. That annual funding goes for everything from schools to health care to highways for the next decade, as well

as our state's level of political representation in Washington. In short, our state's Census count will have tremendous impact on everyone's lives – particularly those in need – for the next 10 years.

Luckily there is still time to fill out our forms, so I hope each of you will respond and that you'll encourage all your friends and family to respond and make sure that every person in their household – including children, extended family and long-term guests – is counted.

Whether you fill out your form by mail by responding to the paper questionnaire mailed to your home, by phone by calling 844-330-2020, or online by visiting my2020census.gov – let's all do our part to make sure that **Everybody Counts!**

Let us know how we can continue to be helpful to you in performing your notarial acts. As we celebrate the Fourth of July weekend, continue to stay safe and healthy, and be sure to practice social distancing.

Elaine J. Marshall



COVID-19 + Notaries

Sunset for Emergency Video Notarizations Has Been Extended:

**** Breaking News **** - House Bill 308 passed unanimously in both chambers and is on its way to Governor Cooper for his signature. This new law extends the emergency video notarization sunset from August 1, 2020 to 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.

Community Colleges:

We are pleased to share that 27 community colleges in North Carolina have reopened their doors and are offering notary public classes. The list is below. Contact them directly for further information:

AB Technical Community College
Alamance Community College
Bladen Community College
Blue Ridge Community College
Brunswick Community College
Cape Fear Community College
Caldwell Community College
Carteret Community College
Cleveland Community College
Coastal Carolina Community College
College of Albermarle
Craven Country Community College
Davidson Community College
Fayetteville Technical Community College
Forsyth Technical Community College
Guilford Community College
Haywood Community College
Lenoir Community College
Randolph Community College
Richmond Community College
Robeson Community College
Rockingham Community College
Rowan-Cabarrus Community College
Sampson Community College

Online Notary Class:

The Secretary of State's Office is working with the state community college system to develop online notary public courses. We will keep our notaries posted about the details and the availability of this course.



Free E-Notary Online Course Deadlines:

The last day to register for the on-demand e-notary class through the Secretary of State's Website will be Friday, July 17.

The last day to complete the course to become an electronic notary will be Friday, July 31.

Reminder: to take the free course (generally a cost of \$50 to \$100 at a community college), please begin by registering at:
www.sosnc.gov/ereg.

Also, you must be a current commissioned notary to take this course.

There is a \$7.50 fee for the downloadable Electronic Notary Manual that you receive after the book fee is paid. The link to the manual and course videos will be sent in a confirmation e-mail. After completing the exam, you will be allowed to file an application, which includes a \$50 fee by statute, however the course comes at no charge.

If you have any questions about this course, please email us at notary@sosnc.gov.



Let's Compare: Electronic Notary vs Video Notarization

Electronic Notary(e-notary)

1. This process allows a notary to apply an electronic notary signature and seal onto an electronic document.
2. Emergency video notarizations can be used to perform electronic remote notarizations.
3. Commissioned notaries must take the class and pass the test to become an electronic notary.

(Emergency) Video Notarization:

1. All commissioned notaries can perform acknowledgments and oaths/affirmations over video conference technology.
2. The notary and signer must be logged in on a video conference LIVE at the same time.
3. This law runs through March 1, 2021.



Notarization Explained in Eight Simple Steps

Last month, 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 thought refreshers on various topics would be extremely beneficial to everyone no matter how long you've been a notary. In our May newsletter, we looked at the first step: *Require the Personal Appearance of the Principal Signer(s) of the Document*.

This month tackles the **Second Step**:

Step 2: Positively Identify the Principal Signer(s) of the Document

There are two ways that a notary must use to identify a person requesting your service. They are personal knowledge or satisfactory evidence of identity. You only need to use one of them to identify the principal. (See our February and March newsletters to read about them again).

Personal Knowledge means if the signer does not have his or her identification for whatever reason, you may forgo checking ID if you can 100 percent verify that you know the person in front of you.

"Familiarity with an individual resulting from interactions with that individual over a period of time sufficient to eliminate every reasonable doubt that the individual has the identity claimed." [10B-3(17)].

Satisfactory Evidence of Identity says if an individual appears before you, and you have never seen him or her before, you may rely on a form of identification known as "satisfactory evidence." [10B-3(22)]. Note the word "interactions" (plural) and the phrase "a period of time" (history). It is not sufficient to have met an individual on a singular occasion and proceed as though you personally know the individual. Remember the idea is to establish

the identity of an individual with certainly, not to circumvent the statutory requirement for convenience sake.

Satisfactory evidence includes one current federal or state issued identification card with a picture of the principal's face and their physical description or signature.

Sample forms of acceptable identification include:

- State driver's licenses and identification cards
- Passports (Foreign or Domestic)
- Retired or dependents military ID cards
- Cards issued by recognized state tribal agencies

What forms of identification are **NOT** acceptable?:

- Social Security cards
- US Passport cards
- Matrícula consular cards
- Credit cards
- Newer active duty military ID cards (per page 31 of the Manual, the newer military ID cards cannot be used because the signature and physical description are embedded in a computer chip)
- Temporary driver's licenses

If you don't know the signer and they don't have any ID on them, you are allowed to ask a person (he or she must be honest and reliable) who knows both you and the signer to be a **credible witness**.

Regardless of how you identify the person before you, remember it's extremely important for you to take this responsibility seriously to prevent identity theft, mortgage fraud and various other identity crimes that run rampant.

If you have additional questions about this topic or other subject matters, our office is available to answer them.

Reach out to us at notary@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 5,375 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!



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