



# The Notary Newsletter



The Department of the  
NC Secretary of State



*Click the image above to watch a holiday message from Secretary Marshall*

## *'Tis the Season To Give!*

I hope everyone had a wonderful Thanksgiving and that you all are ready for all of the magic that comes with the holiday season. We all know how beautiful this time of year can be: The decorating. The food. The music. The parties. The toys and gifts. Dressing up in your holiday best. The overall feeling that this season brings.

But remember December is also a great month to think of those who might not be able to partake in the holiday spirits due to a variety of circumstances.

There are so many great charities and organizations around our state that need our help -- whether through financial or in-kind donations or giving your time as a volunteer -- to help other North Carolinians this holiday season.

There are so many charities that match your particular values and passions. I am certain you can find an organization or cause that interests you. But please do your research to make sure that the charities are using their donations effectively.

Feel free to search the list of charities registered with our Charitable Solicitation Licensing Division. Learn more here: [North Carolina Secretary of State Charities & Fundraisers Search](#).

Our office will be closed from December 23-27, 2022 and on January 2, 2023. I want to wish all of you notaries a joyous and wonderful Hanukkah, Christmas, Kwanzaa and of course New Year! I hope each of you get to spend some time with your friends and family, as well as take an opportunity to practice some self-care. We all know how important that is.

Looking forward to seeing you next year in person as we host more notary chats all around the state!  
Happy Holidays!

*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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***Notary Chat: Wilmington, NC***  
***Tuesday, January 24***  
**WILMINGTON, you are up next!**

Secretary Elaine Marshall and Ozie Stallworth (Director of Electronic Notarization and Enforcement) are bringing the fourth NOTARY CHAT to the University of North Carolina Wilmington.

Although these *in-person* events are **FREE**, registration is required due to space constraints.

The next one will be held on **Tuesday, January 24 at 5:30pm** at the

University of North Carolina Wilmington. Thank you to UNCW for allowing us to use your space.

Registration will open in January for this event!

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### ***EVN Is Back and REN Is On The Way***

With the signing of House Bill 776 into law, Emergency Video Notarization (EVN) is restored until the end of next June when a new Remote Electronic Notarization (REN) program is scheduled to be implemented. In the meantime, here is what you need to know now:

- **Emergency Video Notarizations** have resumed as a stop-gap measure to allow video notarizations while permanent REN procedures are being put in place. *EVN expires on June 30, 2023 at 12:01am.*
- Once REN becomes effective in 2023, you must be a commissioned e-notary to perform remote notarizations under REN (unless you are a court reporter).
- There are new or increased fees that notaries public across the state can charge now. The maximum fee that can be charged per principal signature is now \$10 for acknowledgments, jurats, and verifications or proofs. For oaths or affirmations without a signature, the maximum fee is now \$10 per person, except for the identity of a principal or subscribing witness. The fee for electronic notarizations under G.S. 10B-188 is \$15.

- For any notarial act under 10B, actual mileage at the federal mileage rate can be charged if the travel reimbursement is agreed to by the principal in writing prior to travel. (The State of NC uses the federal mileage rate of 62.5 cents per mile.)
- The new Remote Electronic Notarization fee will be \$25 per principal signature when REN becomes effective in **July of 2023**.

There are a lot of things that the Secretary of State's Office will have to work out over the next year to get ready for REN. We are asking for your patience as we navigate this new law, and we are excited about the new opportunities that REN will open up for our notaries and our state.

Here is a link to EVN resources available on our website: [North Carolina Secretary of State Notary Emergency Video Notarization \(sosnc.gov\)](https://sosnc.gov)

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## Fast Five Q&A

***Q: What are the three most important reasons for a notary to refuse to notarize a document?***

- The signer does not appear in person before the notary at the time of the notarization
- The principal (signer) does not possess satisfactory evidence of identification
- The notary suspects that the document is fraudulent or will be used for fraudulent purposes

***Q: From our email: Do I have to be an electronic notary to perform an EVN?***

Any notary may perform an Emergency Video Notarization (EVN). You do not have to be an electronic notary to do so.

***Q: From our FB Group: 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.

***Q: From our FB Group: Can I notarize a statement for my son that will only go to support a claim for an insurance company? I think the answer is yes.***

We get this question regularly. As a notary, your role is to serve as an impartial witness to the signing of important documents. Therefore, you may not notarize any document in which you have a financial or beneficial interest.

You may notarize for your son as long as you do not have any interest in the transaction because notaries are not prohibited from notarizing for family members.

However, it is generally a best practice to not notarize for immediate family members to avoid any appearance of a conflict of interest.

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

A credible witness must know the notary and the principal signer. 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

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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 yourself, 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).



**Jean Elhoffer**  
Halifax County

*Jean has been a  
commissioned notary  
for 12 years*

She loves gardening, reading, and playing piano at her church in Scotland Neck among other things. But her biggest love is playing with and taking care of her seven grandchildren.



**Joyce Leak**  
Forsyth County

*She has been a  
commissioned notary  
since 1993*

Joyce loves serving the community, traveling and spending quality time with her family.



**Sherry Duncan**  
Wake County

***She has been a notary  
for 5 years***

Sherry's fun fact is she was delighted to shake hands with former President Bill Clinton during an event.



**Pat Henderson**  
New Hanover County

***Pat has been a notary  
since 1975***

She's also been a realtor in Wilmington for 44 years.



## 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 14,324 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 to 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!







## *Deck The Halls*

EEK! Christmas is just a few weeks away. We know you know. Don't worry. If you haven't "decked your own halls" yet, we're here to give you a little decorative inspiration.

At the very minimum, put your tree up if you have one.

*Living Room - The TREE!* Christmas stockings and garland on

the mantle. Throws, pillows and baskets. Gifts and toys.

*Dining Room Table* - Colorful cloth napkins and napkin rings.  
Charger plates. Pretty Goblets. Pine centerpieces.

*Kitchen* - Berries and garland. Holiday utensils and service dishes. Small décor pieces.

*Front Doors* - Garland and holiday lights topped off with a wreath. Oversized plants.

*Guest Bedroom* - Table top trees. Candles and baskets.  
Decorative piece over the headboard.





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