

Remote Ink Notarization

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Terminology

(with thanks to ALTA)

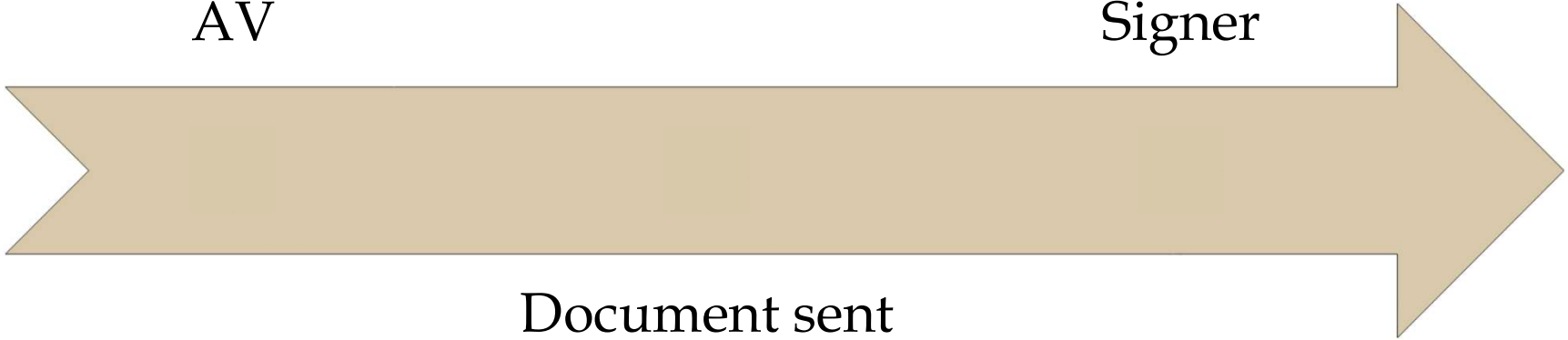
- * Remote notarization of paper documents
- * Notary and signer communicate via audio-visual communication platform
- * Authorized by Executive Order or Legislation
- * Tangible documents
- * AV record sometimes retained per Order or Legislation

Process

Document
signed; Notary
observes using
AV

Notary
attaches
certificate;
returns to
Signer

Document sent
to Notary



Concerns

- * Identification of signer
- * Transmission of document to notary
- * Integrity of document
- * Responsibilities of notary

RULONA Hip Pocket

- ✦ A hip pocket amendment is reserved for use when non-uniform amendments are proposed
- ✦ Not an official amendment to uniform text
- ✦ Designed to deal with issues in a manner consistent with the uniform text
- ✦ The RULONA hip pocket amendment is in process

RULONA Hip Pocket Amendment

Current Draft

- * Notary identifies remote signer per RULONA—multi-factor authentication
- * Notary and signer use audio-video communications and session is recorded
- * Signer displays first and signature pages on the record
- * Signer also signs declaration under penalty of perjury re identity of signed document
- * Record and declaration sent to notary within [3] business days

Hip Pocket [cont'd]

- * Notary preserves record per RULONA
- * After receipt, notary confirms first and signature pages are those displayed and
- * Completes the certificate [which states *AV* used during signing]
- * Notarial act completed nunc pro tunc
- * Returns record to signer

Hip Pocket [cont'd]

- * Includes provision for remote acknowledgment of signed tangible record
- * Includes provision for remote administration of oaths
- * Explicitly authorizes additional regulation by Secretary of State or other regulator