

## North Carolina Notary Association

# Signatures

**Special points of interest:**

- Annual Professional Development Conference held on April 13, 2013.
- 2013 Educational Scholarship Fund Recipients
- New Corporate Sponsor
- Fall Conference Planned

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## NC Notary Association Annual Professional Development Conference held in Waynesville, NC

The NC Notary Association held its Annual Professional Development Conference on Saturday, April 13, 2013 at the Laurel Ridge Country Club in Waynesville, NC. It was a lovely day in Western North Carolina. The mountains were just starting to show their Spring colors and the weather was beautiful.

The Association was fortunate to have three of Western North Carolina's most esteemed elected officials: The Honorable Steven D. Cogburn, Buncombe County Clerk of Superior Court; The Honorable Van Duncan, Buncombe County Sheriff; and The Honorable

Sherri C. Rogers, Haywood County Register of Deeds.

Mr. Cogburn's presentation targeted recent criminal conspiracy charges, civil penalties, and sovereign citizen activities involving notary fraud in Western North Carolina.

Sheriff Duncan reported on several recent occurrences of notary fraud and forgery he has experienced during his tenure as Sheriff in Buncombe County. He shared some major recommendations that could prove to be instrumental in avoiding notary violations such as 1) be careful in performing notary acts for friends and family—some of those incidents cause the biggest problems for the public and for the notary; 2) keep a

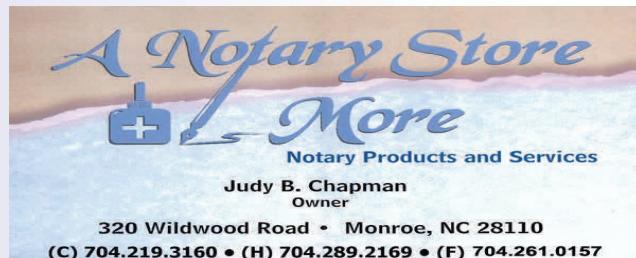
Journal; and 3) don't take short cuts in performing notarial acts.

Mrs. Rogers also relayed recent notary violations that she has witnessed on real property documents that have been offered for recording in her office. She also explained how documents are electronically recorded in her office and what a time-saver the process is. Mrs. Rogers explained that the documents recorded electronically are very secure (changes to the document cannot be made upon recording). Being very concerned about the overall integrity of the records being recorded, she is very pleased with the security aspect of eRecording. (Conference continued on Page 2.)

## NEW CORPORATE SPONSOR

NCNA has acquired a new sponsor: **A Notary Store Plus More**. One of our founding officers and charter members Judy Chapman offered this sponsorship starting immediately. Ms. Chapman's company sells notary supplies including embossers, stamps and seals, journals, and the approved N. C. Notary Public Guidebook. NCNA members automatically receive 10% off of all product sales (discount does not apply to the notary guidebook—these are sold at cost.)

Visit Judy's website at  
[www.anotarystoreplusmore.com](http://www.anotarystoreplusmore.com) for the details.



# CONFERENCE—continued from page 1

The 2013 Educational Scholarship Award Recipients were announced at the conference. The recipients were Julia Jenkins, NCNA member since 2004, and Madison Canter, a freshman at Appalachian State University and the granddaughter of Mary Louise Canter, charter member and a director of NCNA. Neither recipient was able to attend the conference due to prior work commitments.

Ms. Jenkins is currently employed by the Office of the State Fire Marshall and will be attending N. C. State University in Raleigh to continue her education and degree. The \$500.00 award will allow her to take her last three classes in Leadership in the Public Sector. When learning of her award , Ms. Jenkins said, "I am absolutely the most appreciative person in the NCNA. This is the help I needed to finish up my degree at NCSU. An extra class that I had not planned for at

all was required and this scholarship will cover the difference. Thank you so much for awarding me the scholarship. I could not have completed my educational journey without the support of NCNA."

Ms. Canter will begin her Sophomore year at Appalachian State University in Boone, NC in September. She will be pursuing a degree in either Optometry or Photography. If Ms. Canter pursues the Optometry degree she will still have four years of school after getting a major in Biology and a minor in Chemistry. Upon hearing of her award, Ms. Canter said, "Thank you so very much for granting me this scholarship! It will definitely help with my tuition at Appalachian State!" This \$500.00 award was even more important since both of her parents have been unemployed for about a year, and they have had to pay for two daughters in college for the past four years.

Congratulations Julia and Madison! I know you will both make us proud.

The Laurel Ridge Country Club did an excellent job in making our group very comfortable and the lunch was delicious! Thank you to Kitty Brendell and her daughter-in-law Danielle for their assistance in making this conference a big success!



Thanks Wanza for all the great pictures!!



**Becca Cedrone**



**Jack & Ila Penny**



**Mary Louise Canter**



**Patty Holloway**



**JoAnn Morgan**



**Faye Senter**



**Marie Hall**

**Van Duncan**



**Kitty Brendell**

**Megan Murdock**



**Wanza Eudy**



**Steven Cogburn**



**Pat Roberts**

**Sherri Rogers**



**Judy Chapman**



**Ralph Roberts**

## Special Notice: New North Carolina Secretary of State Policy on Keeping Journals.



*State of North Carolina  
Department of the Secretary of State*

ELAINE F. MARSHALL  
SECRETARY OF STATE

OZIE H. STALLWORTH  
Electronic Notarization Director

### North Carolina Secretary of State Position on Notary Journals/Logbooks

North Carolina General Statute 10B-2(1)(3) states that the Notary Act's underlying purpose is "To promote, serve and protect the public interests" and "To prevent fraud and forgery."

In light of the robo-signing epidemic, identity theft and mortgage fraud related to the foreclosure crisis, the Office of the Secretary of State reasserts its long-held strong recommendation that notaries keep a record of their notary acts in a bound journal or log book.

Keeping a notary journal aids in both protecting the public interest and preventing fraud and forgery because it:

- 1) causes would-be criminals to think twice before presenting a forged signature to a notary knowing they will be asked to leave proof of their request in the form of their signature in a journal;
- 2) provides a level of protection for the notary in the event a signer later tries to disown a signature by providing clear evidence in the form of their signature that they did appear before a notary on a given date to request a notarization; and
- 3) provides valuable evidence to law enforcement officials investigating allegations of notary misconduct and criminal activity related to many forms of document fraud.

Seeing that the simple act of keeping a notary journal is clearly in keeping with the stated purpose of the Notary Public Act, in that it provides a level of protection to the public against document fraud, safeguards business transactions from those who would shamelessly refute entering into a contract to skirt their legal obligations, protects the notary from baseless allegations of notary misconduct, and provides valuable evidence to law enforcement agencies in aiding them in their investigations where fraud and forgery routinely occur, we call on every notary to voluntarily keep a journal of notarial acts as a best practice.

Notaries should keep a bound journal so that pages are not easily removed and should at a minimum record the date, type of document, signer's name, type of identification presented along with the signer's signature.

Certification and Filing Division

P. O. Box 29626  
Raleigh, NC 27626  
Voice: 919-807-2295 Fax: 919-807-2220  
[ostallworth@sosecnc.com](mailto:ostallworth@sosecnc.com)

## North Carolina Department of the Secretary of State New Frequently Asked Questions

- 1. I just found an old or expired notary public seal. What should I do with it?**

You need to return it to us. You can do that by:

Certified Mail sent to:	NC Department of the Secretary of State Attn: Notary Public Section PO Box 29626 Raleigh, NC 27626-0626
Hand delivery or by delivery service to:	NC Department of the Secretary of State Attn: Notary Public Section 2 South Salisbury Street Raleigh, NC 27601-2903

- 2. What is the penalty for keeping a notary seal once I am no longer commissioned?**

The notary law has at least one provision that could lead to criminal charges for failing to turn in a notary seal once you are no longer commissioned. NCGS 10B-60(f) says that "[a]ny person who without authority . . . conceals . . . the seal , is guilty of a Class I felony".

- 3. Is a notary allowed to certify a true copy of a document?**

No, a notary can't certify a document as a true copy.

- 4. If a notary resides in one county, can he or she notarize a document in another county?**

Yes. A North Carolina notary public may notarize documents in any North Carolina county.

- 5. What happens if a notary violates the law?**

We will investigate. The notary will have a chance to present his or her side. If we find that the notary violated the law, we can:

- \* Send the notary back to class
- \* Warn the notary
- \* Restrict the notary's commission
- \* Suspend the notary's commission
- \* Revoke the notary's commission
- \* Prosecute the notary for a misdemeanor or felony.

- 6. What are the crimes a notary can be charged with?**

Under the Notary Act, notaries can be charged with both misdemeanors and felonies. Some crimes committed by notaries may also violate other laws.

- 7. May a notary public notarize a document that is in a foreign language?**

Yes, but the notarial certificate must be in English.

- 8. How can I find out how to authenticate a notarized document so I can use it outside the U.S.?**

You may contact the Authentications Unit in the Corporations Division by Phone (919)807-2140; website [www.sosnc.com](http://www.sosnc.com); or email [authen@sosnc.com](mailto:authen@sosnc.com)

- 9. How long will it take for my notary application to be processed?**

We may take up to 2 weeks to process your application if it is complete and correct. It may take longer if it is not complete or if it is incorrect.

- 10. My commission is about to expire. How far in advance can I apply for reappointment?**

You can't apply for reappointment earlier than 10 weeks before your commission expires.

(FAQs continued from Page 4)

**12. What's a passing score on the reappointment test?**

You have to get at least 80% of the questions right to pass the reappointment exam.

**13. Is there anyone who can get reappointed without taking the test?**

Yes, there are 2 groups of people who don't have to take the test to get reappointed. You don't have to take the reappointment test if you:

1. Are a licensed member of the North Carolina State Bar or
2. Are a notary who's had a North Carolina commission since July 10, 1991, and it has never lapsed and you have never been disciplined by us.

**14. Where can I take the test so I can get reappointed?**

You can take the test online at our web site at [www.sosnc.com](http://www.sosnc.com).

**15. How many times can I take the exam if I don't pass the first time?**

You can take the exam 3 times in 30 days.

**16. What happens if I fail three exams within 30 days?**

You will have to take the Notary Public course over again.

**17. Where can I buy the current Notary Public Guidebook for North Carolina?**

You can:

Order it online at [www.sog.unc.edu](http://www.sog.unc.edu)

E-mail [sales@sog.unc.edu](mailto:sales@sog.unc.edu)

Write to: School of Government, UNC Chapel Hill, CB #3330, Knapp-Sanders Building, Chapel Hill, NC 27599-3330;

Call 919-966-4119; or

Contact a bookstore in your area or at a local community college.

**18. Do I need to do anything about my commission if I have changed my name?**

Yes, you need to:

1. Submit a signed notice of change form to us within 45 days of the change.

2. Take the oath of office at the Register of Deeds office in your commission county within 45 days after you get the oath notification letter from us.

3. Get a new seal.

4. Return your old seal to us by certified mail, return receipt requested.

**19. What happens if I don't follow the steps for a name change?**

If you don't follow the name change steps, we can discipline you.

**20. I want to resign my commission. What do I need to do?**

You must submit a signed letter to us including a date of resignation. Within 45 days of resigning, you have to send your seal or stamp to us by certified mail, return receipt requested. You may also hand deliver it to us. We will dispose of your stamp or seal.

**21. Can I notarize a document if it doesn't have notarial wording?**

No, you cannot notarize a document without notarial wording.

**22. Can I decide what kind of notarial act or certificate to use if the person didn't provide one?**

If you are not a licensed attorney, you cannot decide what kind of notarial act or certificate to use if the person didn't provide one. If you are a licensed attorney, you can decide what kind of notarial act or certificate to use if the person didn't provide one.

**23. Someone brought me a document to notarize and it doesn't have notarial wording. If the person tells me what kind of notarial act they want done, can I offer them a selection of certificates to pick from?**

Yes, you may offer a selection of certificates.

**24. I am notarizing a vehicle title. Who can I contact for help if I have questions?**

You can call DMV at 919-715-7000. Or, you can go to the DMV Web site at [www.ncdot.org/DMV](http://www.ncdot.org/DMV).

## SPECIAL ANNOUNCEMENTS

**Post Office Box 30517**  
**Raleigh, North Carolina 27622-0517**

**Phone:** None at this time  
**Fax:** 253-550-9262  
**Email:** [info@ncnotary.org](mailto:info@ncnotary.org)  
**www.ncnotary.org**

## **NCNA PURPOSE**

*“To Promote excellence  
in Notary work.  
To Provide Notary  
education and training.  
To Encourage and  
support those things that  
are in the best interest of  
Notaries and the public  
they serve.”*

**North Carolina Notary Association  
Post Office Box 30517  
Raleigh, North Carolina 27622-0517**

*-Plans have begun for a 2013 Fall Conference. If you would like to assist in procuring a meeting facility in your area, please let us know by emailing info@ncnotary.org. Due to quite a few requests, we will have as one of our speakers an expert on criminal notary acts related to sovereign citizen activities. Check your listserv and NCNA's website for more information!*

*-Also look for a survey that will be sent to you via the listserv. When it comes to your mailbox, please take a few moments to complete it. Your input will be very helpful in letting us know how NCNA can best serve you, our members.*

*-Please note that for questions regarding your commission or re-commissioning, you must contact the N. C. Department of the Secretary of State, 919-807-2219; email [notary@sosnc.com](mailto:notary@sosnc.com); website [www.sosnc.com](http://www.sosnc.com).*

Officers

## *Directors*

★	Patty Holloway, President
★	Wanza Eudy, Vice-President
★	Faye Senter, Treasurer
★	Ila Penny, Recording Sec.
★	Charlotte Carrére, Correspondence Sec.
★	JoAnn Morgan, Historian
★	Vacant, Legislative Envoy

Mary Louise Canter  
Jack Penny  
Kitty Brendell  
Judy Chapman

## *Committees*

# Audit Nominating Educational Scholarship Legislative

