

Remote Notarization

I'm interested in the status of Remote Notarization in the US, both permanent and temporary.

Yes... I started a Google search for this, but things are changing so fast these days, I thought I'd throw the question out, on Solosez.

In NH, the governor signed an executive order on March 23rd, allowing remote online notarization... with a significant amount of detail on the criteria and process.

In MA, I understand that something is being considered... as of 3/25, it has not yet passed.

Anyone else?

Ohio started Video Notary last July

Erin M. Schmidt, Ohio

as it happens, it's a bit harder to find that list than one might think...

so, here's the link

<https://www.nationalnotary.org/knowledge-center/news/law-updates>

Laurie Axinn Gienapp, Massachusetts

Try notarize.com

Flann Lippincott, New Jersey

<https://www.governor.ny.gov/news/no-2027-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>

Richard Young, New York

An emergency provision in NY allows it, but in reality it is not happening.

None of the title companies will accept it.

Nick Bowers, New York

Vermont just adopted emergency remote notarization today.

John C. Thrasher, Vermont

I don't do any real estate, but remotely notarized an EEOC charge today.

Richard Young

We just got temporary approval to use remote notaries here in WA due to our lockdown today over the Covid-19 virus.

AnnMichelle G Hart, Washington

I have not independently verified this, so take it with a grain of salt, but....

I was on a conference call yesterday for the California Lawyers Association (our statewide voluntary association, after the "mandatory" and "voluntary" parts of the Bar were separated). Someone on the call asked about notarizations during this period of social distancing. One of the other participants said that she had spoken to someone in the Secretary of State's office (the SoS regulates notaries in California). She was told that (a) California still does not allow remote notarization, but (b) a document properly notarized (remotely) by a notary in a state that does allow remote notarization should be sufficient for California purposes.

Brian H. Cole, California

Florida changed its notary statute last year to include pretty extensive provisions for remote online notarization, which requires a special education/certification of the Florida notary (who must already be a notary) and video and recording software.

Even though the law became effective just on January 1, 2020, there appear to be quite a number of remote online notaries who are authorized in Florida, though no one I actually know.

<https://dos.myflorida.com/sunbiz/other-services/notaries/remote-online-notary-public/>

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0117/0117.html

Cynthia V. Hall, Florida

Hawaii just authorized remote notarizations for the duration of the state stay-at-home order.

Naomi C. Fujimoto, Hawaii

Georgia has similarly authorized remote notarizations although I am not sure how that will work.

John Martin Miles, Georgia

One attorney's use of remote notaries in Florida was one of many topics discussed on Adriana Linares' March podcast "Going Remote During COVID-19:

Tips and Tools for At-Home Legal Practice"

<https://legaltalknetwork.com/podcasts/new-solo/>

Hope this helps.

Dave Rakowski

Kentucky legislature just passed an emergency measure allowing remote notarization. Our local bar associations contacted our supreme court who worked with the Secretary of State to get a law in place asap. The issue that instigated the urgency was wills and the inability for witnesses to get into hospitals etc.... as long as it is on video and all happens simultaneously the fact that everyone's signature is in a different piece of paper is addressed as ok.

Micah G. Guilfoil Payne, Kentucky

Glad to see this.... hoping more states follow suit.

Laurie Axinn Gienapp
