


BEYOND THE STAMP
CHANGES IN MONTANA NOTARY LAW





**So you
 want
 to be a
 notary?**



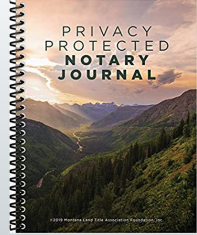
Which of the following is a requirement of a notarial act?

- A. Determining if the signer has authority to sign
- B. Determining if the signer knows what he is signing
- C. Determining the identity of the signer
- D. All of the above



RESPONSIBILITIES

- Verify identity of signer
- Signer physically present
- Intent, competency & capacity
- REFUSE incompatible acts
- Maintain journal



OBTAINING A COMMISSION



- ❖ Eligibility expanded & updated
- ❖ Exam required ~ new & renewing
- ❖ Bond values increased from \$10,000 to \$25,000
- ❖ RON, RN, IPEN approved

Continuing Education

Renewing Commissions

- ~ 4 hours approved CE within 12 months
- ~ 2 hours per year in past 3 years

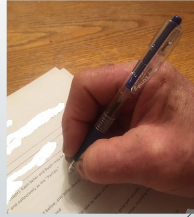
New Commissions

- ~ 4 hours approved CE within 12 months

Violations may result in additional CE requirements by SOS

**NEW
AUTHORIZED
ACTS**

- Certification of Fact
- Certification of Life
- Certification of Photograph
- Solemnization of Marriages
- RN, RON and IPEN



**CHANGES TO
CERTIFICATES**

- Complete all aspects of certificate
- Identify venue ~ not just stamp & signature
- Can authorize another to make correction
- New sample certificates in Handbook

A NOTARY MAY NOT:

Certify an official record

Affix signature and stamp without complete certificate

Reproduce, alter or attach a certificate to a document other than that intended



PROHIBITIONS

You are asked to notarize a document, but the signer is sobbing and her hands are shaking when she signs your log. What should you do?

- A. Hand her a Kleenex
- B. Hug her and tell her everything will be all right.
- C. Refuse to notarize the document until you can determine that she is willing and not being coerced.
- D. Leave the room and give her time to compose herself before continuing.

Complete Rules and Guidelines available at Montana Secretary of State website

