

NOTES FROM COMMITTEE TELECONFERENCE
November 20, 2007

On November 20, 2007, at 2:30 pm, a teleconference was held to permit the members of the Drafting Committee for the Revision of the Uniform Law on Notarial Acts and its reporter to organize themselves. Participating were Patricia Brumfield Fry, chair, Arthur Gaudio, reporter, John Sebert, Executive Director, James Wynn, Division Chair, and committee members David Biklen, Peter Hamasaki, Edward Lowry, Harold Meier, Anita Ramasastry and Candace Zierdt.

The teleconference commenced with introductions, including the introduction of the reporter and David Biklen as both a committee member and as style liaison for the committee. Ms. Fry then advised the committee that no in-person meetings were authorized prior to Fall 2008 but that a teleconference would be planned for January 2008 to include advisers and observers.

The discussion then turned to consideration of the issues memorandum prepared by Arthur Gaudio. Ms. Fry and Dean Gaudio indicated that the goal was to have preliminary statutory language prepared prior to the next teleconference, to the extent practicable, as well as a more extensive memorandum discussing policy issues to be addressed by the committee. Dean Gaudio noted that the problems with the existing Uniform Law on Notarial Acts seemed to be not with the Act itself, but rather with what was not included in it. Turning to his preliminary list of subjects which may need to be dealt with in a revision, Dean Gaudio discussed other issues which had been preliminarily identified, including requirements for identifying signers and maintaining journals, identifying forms of fraud and whether they were specific to notaries or generally issues of fraud, whether provisions should specifically identify identity theft or not, the role of notaries in immigration matters, research needed into issues of homeland security, including not only federal law but also state and local laws, questions related to foreign residents, including both acceptance of notarial acts by foreign States and confusion by resident aliens concerning the role of notaries in this country, and questions of the provisions which should be included relating to notarizations on electronic records.

Dean Gaudio indicated he would do further research into homeland security issues and the federal Real ID act, as well as state and local developments. Mr. Lowry agreed to furnish Dean Gaudio with information concerning Arizona law and regulations relating to electronic technologies and to issues related to resident aliens. Ms. Fry will continue to make efforts to contact individuals who can provide information relating to immigration issues and with the State Department.

Following further discussion, it was agreed that the committee would endeavor to meet by teleconference during the latter half of January. All participants were urged to advise the chair of any blocks of time during that period when they would be unable to participate in such a teleconference. The call adjourned at approximately 4:10 pm CST.