



AMERICAN SOCIETY OF NOTARIES

November 19, 2018

Anita Ramasastry, President
Uniform Law Commission
111 N. Wabash Avenue, Suite 1010
Chicago, IL 60602

RE: ASN Support – Revised Uniform Law on Notarial Acts (2018)

Dear Ms. Ramasastry,

American Society of Notaries, a professional organization serving Notaries Public since 1965, congratulates the Uniform Law Commission on its thoughtfully composed 2018 update to the Revised Uniform Law on Notarial Acts (RULONA).

Our Society, an Observer to the RULONA's drafting and subsequent revisions, has long supported widespread adoption of the Act for these reasons.

Scope. The RULONA provides a legal framework addressing every area of notarial law—qualifications to obtain a Notary commission, authority to perform notarial acts, specified duties, notarial act requirements, identification of principals, notarial certificates, official stamp and stamping device, recordkeeping, prohibited acts, and more. In states where notary provisions are scattered among multiple areas of law, enacting RULONA will provide statutory cohesiveness and clarity.

Unified Treatment of Tangible and Electronic Records. The RULONA marries notarization's traditions with present-day demands by defining paper-based (tangible) and electronic documents as "records," authorizing a notarial officer to notarize "records," and applying notarial act requirements equally to notarization of tangible and electronic records.

Uniformity Among States. Consider the Act's provisions establishing the requirements for performance of each notarial act, the information elements in an official stamp and the form of a notarial certificate. Uniformity in these areas promotes the acceptance of notarial acts across jurisdictional borders and strengthens relying parties' confidence in the integrity of a notarial act, wherever it is performed.

Standards of Practice. The RULONA establishes baseline standards in core areas of notarial law and practice, thus enhancing the office's professionalism and strengthening the assurances provided by notarial acts. The Act supports adherence to these standards by empowering notarial officers to refuse to perform a notarial act, unless refusal is prohibited by other law. The Act is a guide to the most essential and desirable provisions of notarial law and best practices, especially for states moving in new directions such as authorizing the performance of notarial acts using communications technology and related technological tools.

Proven Interstate Recognition Provisions. The RULONA provides for the enacting state’s legal recognition of a notarial act performed in another jurisdiction. These provisions support the free exchange of records between jurisdictions by assuring that variations in state Notary laws do not impair recognition of a lawfully performed notarial act. Such language has appeared in multiple Uniform Law Commission Acts for decades, largely unchanged because it is so clear and effective.

Stakeholder Participation. The RULONA’s drafting process was expertly managed and relentlessly inclusive. All stakeholder input received thoughtful consideration. The resulting Act reflects, and is responsive to, the needs of the many stakeholders who participated in the drafting process and who rely on the assurances a notarial act provides.

American Society of Notaries recommends adoption of the RULONA and commends all Drafting Committee members—especially Patricia Brumfield Fry, Raymond Pepe and Reporter Arthur Gaudio—for their exemplary work.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Butler". The signature is written in a cursive style with a large initial "K".

Kathleen Butler
Executive Director
American Society of Notaries

KB/me