

MEMORANDUM

TO: Members and Observers

FROM: Patricia Fry

DATE: January 3, 2007

SUBJECT: Study Committee on Revision of Uniform Law of Notarial Acts

I enclose a draft of minutes of our recent teleconference, as well as a draft memorandum concerning the scope of a potential uniform law relating to notaries. I have tried to draft the latter document in such a way that it was free-standing and could be used when discussing our charge with various stakeholders. Please let me know if you have any questions, comments or suggestions on either of these documents. I also enclose a copy of the proposal from the US Notary Association to the Scope & Program Committee for your information.

As was discussed, we have been granted access to U.S. Notary Association's website and the collection of data maintained there for members. I enclose a copy of Ray Janicko's email outlining the location and providing instructions for accessing the data. Another website of interest is maintained by the National Notary Association, www.nationalnotary.org, where you can find a copy of the Model Notary Act prepared for that company in 2002 by using the link to the "Online Library." We were told they are working on a revision of their 2002 model, although I could not find any links in a quick exploration of that site. The website of the National Association of Secretaries of State, www.nass.org, contains a link to their report, issued July 2006, on standards for electronic notarization. If you scroll down the home page, click the link titled "NASS Approves National Standards on E-Notarization" to access their report. Finally, a committee of the ABA Section on Science & Technology has prepared a report on electronic notarization, which may be accessed at www.meetings.abanet.org/webupload/commupload/ST001235/newsletterpubs/eNotarization.pdf.

One of our most immediate tasks is to identify and contact stakeholders who may have an interest in joining us as observers or monitoring and commenting on our work. Among those we identified for contact were:

Federal agencies:

- Department of Justice
- Department of Defense
- Treasury Department
- State Department
- Department of Commerce
- Federal Trade Commission
- Board of Governors of the Federal Reserve

Homeland Security, and particularly Immigration Service
Administrative Office for U.S. Courts

Others:

American Bar Association
 Business Law Section
 Section on Science & Technology
 Judicial Division
Mortgage Bankers Association
American Land Title Association
Joe McGinnis (I need contact information here)
Oasis/LegalXML
National Notary Association
Freddie Mac and Fannie Mae
Insurance/bonding companies
National Association of Secretaries of State

In addition, you will note that the original proposal to Scope & Program identified motor vehicle certification agencies, consumer advocacy groups, and the banking industry as potentially having an interest in our work.

Before our next teleconference, which I hope to schedule near the end of January, it would be very helpful if our committee members and observers would --

1. Identify any suggested contacts with whom they are acquainted or of whom they are aware at any of the above potential stakeholders.
2. Identify and let me know those entities each of you is willing to contact concerning our work and potential participation. I would appreciate it if committee members will identify 2-3 entities each will contact. I will take care of the Department of State and Business Law Section, as well as Freddie Mac and Fannie Mae. Once I have this information, I will try to resolve any overlap and let each of you know which entities you should contact.
3. For committee members, take a quick look at your state's laws relating to notaries and notarization and at least scan the NASS and ABA eNotarization reports.

My thanks to each of you for your attention to these matters. I look forward to hearing from you as soon as possible and to continuing our work together.