

MICHIGAN NOTARIES - READ CAREFULLY!

Temporary Changes to In-Person Notarizations Extended

Yesterday, Governor Whitmer extended her executive order which temporarily made changes to the requirement that notarizations occur in person by issuing Executive Order 2020-74. This order continues the temporary suspension of the in-person requirement and provides for changes to how notarizations may occur. It allows notaries to conduct notarizations using two-way real-time audiovisual technology to conduct a notarization so long as certain conditions are met. As a notary, there are several requirements that are placed on you in order for the notarization to be valid.

As a reminder, if you are going to notarize a document using a videoconference technology, all of the following conditions must be met:

- **The audiovisual technology must allow direct interaction between the signer and the notary by sight and sound;**
- **You must create an audio and visual recording of the notarization, which must be maintained for 10 years;**
- **You must keep a journal of each transaction you conduct using the video conference technology. The journal should state the name and address of the individual, the date of the notarization, the type of document being notarized, the identification documentation provided, and the program you are using to conduct the video conference (e.g. skype, zoom, etc.);**
- **Satisfactory evidence of identity must be presented during the video conference. The evidence used to verify identity is the same as it is currently, but it must be shown during the live video feed;**
- **The individual seeking notarial services must state whether he or she is physically located in this state. If the person is located in another state, the document must relate to a matter going before a court, governmental entity, public official or an entity in this state, or the document must involve property located in this state;**
- **Signatures must be affixed in a manner that renders any future changes or modifications to be evident; and**
- **You must place the phrase: "Notarized using electronic/remote technology" under the notary block.**

The individual seeking the notarial service must immediately transmit (fax, mail, email) a legible copy of the entire signed document on the same date that it was signed. This applies regardless of how the document itself is signed. On receipt of the document, you as the notary shall notarize the document and send it back to the individual. The date and time of the notarization is the date and time the notary witnessed the person sign during the video conference.

Please note that as of now, this method of notarization is only allowed through June 30, 2020.

Extension of Commissions

EO 2020-74 also provides relief to notaries whose commissions either have already or will expire between March 1, 2020 and June 30, 2020. Under this executive order, if your commission expired during this time period and you were unable to renew, your commission will automatically be extended until June 30, 2020.

If your commission has or will expire during this time period, you should adjust your commission expiration date on the notary bloc to June 30, 2020 on all documents you notarize. You should also include the phrase "Per EO 2020-74" somewhere near the commission expiration field if you are adjusting your commission expiration date.