

Summary of Emergency Video Notarization (NCGS § 10B-25)

Requirements of the New Law

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- 1) The video-audio conference must:
 - a. Not be pre-recorded;
 - b. Allow the Notary and the Principal (the person signing) to communicate simultaneously—both visually and audibly—in real time;
 - c. Allow the Notary to hear, understand and visually observe the face of all other participants and view any identification produced by the Principal;
- 2) The video-audio conference must be recorded by the Notary;
- 3) The Principal must identify the county where the Principal is signing;
- 4) The Principal must verbally state for the record what documents are being signed.
- 5) On the *same day* the document is signed, the Principal must fax or electronically transfer to the Notary a copy of the document and must mail or physically deliver the original signed document to the Notary [Note: I have a solution for the electronic transfer issue which does not require the Principal to scan/email the document].
- 6) Upon receipt of the original, signed document, the Notary shall compare the original document with the faxed or electronically transferred document, and if the documents are the same, the Notary can notarize the original document and mail the original document to the Principal;
- 7) The acknowledgement or jurat certificate for an emergency video notarization shall include the following:
 - a. The county in which the notary public was located when the emergency notarization took place;
 - b. The county in which the Principal stated he/she was located when the document(s) was signed;
 - c. The following statement:

I signed this notarial certificate on _____ according to the emergency video notarization requirements contained in G.S. 10B-25.
- 8) The Notary shall retain a journal for at least 10 years that contains the following information:
 - a. The time of day when the signing was observed by the Notary;
 - b. The date of the completion of the emergency notarization certificate;
 - c. The last and first name of the Principal;
 - d. The type of notarial act performed;
 - e. The type of document notarized or proceeding performed;
 - f. The form of identification presented by the Principal, including the issuing agency and identification number;
 - g. The type of video conference technology used during the emergency video notarization;
 - h. A statement that the Notary and each Principal could see and hear each other;
 - i. The names of any other persons who were present with the Principal.
- 9) The Emergency Video Notarization law is scheduled to terminate on August 1, 2020. However, all documents notarized under the emergency provisions will continue to be legally effective after that date and do not have to be re-signed.