

Andrea Gyger

From: [REDACTED]
Sent: Wednesday, July 30, 2014 2:18 PM
To: SoS Rulemaking
Subject: Anticipated rule making...

Dear Mr. Gessler:

I was surprised, but pleased, to read that you are inviting input on you notary certification process reconstruction. Recently, I acquired a notary certification from your office. I can't say it was 'renewed', because my past years in a notary public capacity were not taken into consideration. I did not appreciate the hassle of the "training course", the testing, and the cost. I don't know how many people actually offer their services to the general public, but all of my experience has been in businesses tied to property law: real estate title insurance and oil and gas exploration and development. Everything in those fields are carefully prepared according to whatever laws apply. The notaries in those areas are all the same. I've never had to provide notarization for a foreign diplomat, or whatever.

When I first became a notary, I received a handout, and learned everything I needed to know about notarial tasks. Having read the handout once, I gleaned the information I needed to have immediately, and kept the handout for future reference. Nothing more than that needs to be done at this time, or any time. It is not brain surgery, as they say. There are no lives at stake here.

It is my belief that the Secretary of State is not in the business of education, particularly in this area, rather, it is in the business of providing information. Education and information are entirely different things, and all that is needed is that the information required to carry out the tasks of a notary be made available as part of the application process. You can check to see if they did, indeed, download the information. You cannot force anyone to memorize a lot of superfluous information. Particularly when it is rare for a notary within a certain kind of organization to need to know more than how to properly execute those limited varieties of documents pertinent to that organization.

May I suggest a simpler, very much less expensive, tried and true method of achieving the goal of the Secretary of State's Office? Knowing that the SOS is in the business of providing information, then the individual applicants must take the personal responsibility for learning how to do the job properly. If they don't get it right, they can lose business if they serve the general public, or their job if not. If they use it to commit some crime, then they are liable to the law. No doubt, there will always be people who commit crimes, but that's why we have criminal laws. In other words, you must suspend suspicion and expect people to do the job correctly, if for no other reason than that it is such a public activity, often being subjected to public inspection due to recordation.

Prepare a "Notary Public's Handbook" to be purchased by the applicant as part of the application fee to recover the cost. It can be done online, of course.

If entirely done online, it should just be a printout of the below-described handbook. It should follow the KISS principle: Keep it Short and Simple.

The Handbook needs to be printable on an 8-1/2 x 11 paper, using Times New Roman, no larger than 10 - 11 font size.

1. Include a Title sheet, with date of publication;
2. A simple text list of the things the notary needs to know. Do's and Dont's. Keep it simple and direct. "The Rules."
3. Examples of the various types of notarizations, with any appropriate instructions.
4. A copy of the appropriate Statute, preferably at the back of the handbook, for reference.

Loretta Kalmar
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