

From: [REDACTED]
To: [SoS Rulemaking](#)
Subject: [EXTERNAL] Notary Rulemaking hearing comment/question to be submitted
Date: Thursday, January 6, 2022 10:40:40 AM
Importance: High

Good morning.

I am registered to attend the rulemaking hearing today and I would like to submit the following request/comment, which is a new area that I would like to see addressed, not one of the proposed changes.

As a court reporter in the state of Colorado, the COVID pandemic really rocked our world. Many depositions and hearings moved onto remote platforms, and that continues to this day. As court reporters, we are officers of the court and duly charged to administer the oath to the witness. We are required to be notaries in order to discharge this duty, but we are not truly notarizing a document of any sort. The rule changes just completely omit this area regarding remote oaths and we are all still out here trying to do our job and follow the law as we may or may not see it fit into the formal rules. As such, we all view it a bit differently and are all doing it differently. It would be so nice to see this addressed exactly to give us the rules and guidelines to follow so we know we are doing it correctly. I have called SOS to ask for guidance and all I am told is that “attorneys cannot waive away the law” when it comes to them agreeing to allow us to remotely issue an oath. So then what? We need a law that directly supports our duty so there is no need to waive anything away. Is there a way to add this to the agenda as an area to be added to the rules? How to administer an oath remotely.

I will add, I am also a remote notary, so did take that additional certification – but still this area was not directly addressed.

I also concur with the statement submitted by Nanette Reimer about using a third-party system for recording remote notarizations. Again, issuing oaths, we are unclear if that applies to us – as well as that seems an onerous and costly requirement. Perhaps that could apply only to notarizing some types of documents such as wills, deeds, titles and the such where fraud may be a more prevalent issue.

Thank you for considering my comment.

Aimee Reisinger