

**Remote Online Notarization is not that different from traditional notarization. The same key elements of the act occur: verifying the signers identity, witnessing the notarial act, and confirming the notarial act was informed and willing.**

To make things more efficient and accessible, more and more states are passing remote online notarization laws. Remote Online Notarization or RON, performed with the assistance of mobile and e-signature technology, allows a notary and signers to perform a notarized transaction via computer or mobile device.

Currently, over 40 states have adopted permanent Remote Online Notarization laws, including the state of Colorado. However, each state has its own specific set of laws and regulations that determine how RON services must be carried out. This includes specific conditions that both notaries and signers need to be aware of and prepared for. For this reason, you should reach out to one of our offices for details about your transaction to ensure that RON is available and what state laws apply to ensure that your notarization is valid.

When a RON transaction follows the governing regulations to be executed correctly, the remotely notarized document has the same legal effect as an in-person, notarized document on paper. There are strong arguments to support this principle, rooted in statute, judicial precedent, and the Full Faith and Credit clause of the U.S. Constitution.

**Since it is common for remote online transactions to happen across state lines, state courts generally recognize valid out-of-state notarizations.**

Courts addressing the validity of out-of-state notarizations have generally recognized the following four principles:

- » A notary is a public official of their commissioning state, and must therefore comply with the law of their state when performing a notarial act.
- » The validity of a notarial act is determined by the law of the state in which the notary is commissioned.
- » A notary commissioned in one state has no power to perform a notarial act under the laws of another state.
- » As long as the notary complies with the law of their own state, legal and procedural differences between the notary's state and the receiving state—even if there are fundamental policy differences—do not make the notarization invalid or defective in the receiving state.

Thus, if a RON is conducted in accordance with the law of a notary's commissioning state, another state should have to recognize the out-of-state notarization—even if the procedure followed differs from that of the receiving state.

#### **BENEFITS OF DIGITAL SIGNATURES**

- » Embedded Legal Evidence
- » Tamper Evident
- » Detailed Audit Trail
- » Independent Verification

#### **BENEFITS OF RON**

- » Secure, Fast and Convenient
- » Superior Fraud Protection
- » No Paper Documents
- » Notarize Documents Anywhere, Anytime
- » Saves Valuable Time & Money!

Sources: DocuSign, RamQuest, Signix, eNotary log

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