



Creating a Valuable Record



Mont. Code Ann. §1-5-618 (1 – 12)

Summary by Section

Section 1: Audio / Visual
Recording of Transaction
for notarization using
communications
technology – IPEN, RON,
RIN

Section 2: Journals may
be paper or electronic;
must record all notarial
acts; permanent bound
or permanent, tamper-
evident

§1-5-618, MCA - Highlights

- ☐ **Must be the property of the individual notary, who has sole responsibility for its safekeeping and contents**
- ☐ **Must be a bound book, designed to deter alteration or a commercially produced electronic journal**
- ☐ **Must record every notarial act**
- ☐ **Must contain the specific details as required by 1-5-618(3), MCA**
- ☐ **Must be retained for a period of ten years after the last recorded notarial act by the notary, or by the Secretary of State's office**
- ☐ **Lost or stolen journals must be reported to SOS**
- ☐ **You may keep more than one journal at a time – but you may have to produce all of them to validate chronology**

MT JOURNAL REQUIREMENTS

Multiple journals are allowed to be used at the same time.

One in the office and one at home.

One for loan signing (LS) and one for general notary work (GNW).

Entries in a journal must be made at the same time as the notarial act and be in chronological order.

Two types are allowed:

A permanent, bound paper journal designed to deter fraud.

Cannot be a word or excel document.

Examples: Privacy Protected, Dome, Integrity, NNA, etc.

A permanent, tamper-evident electronic journal (e-Journal).

Must be a “real” commercially available product. No word or excel documents.

Examples: NotaryAct, Jurat Inc, AAN e-Journal, etc.

Montana Law Regarding RON and Journaling



RON platforms provide integrated journals - “RON Journal”.

This is different than the e-Journal previously discussed.



MT Notaries are required to keep a record of their RON transactions in a personal journal in addition to the journal produced by the platform.

The same information needs to be journaled for RON — date/time, name, how identified, documents, notarial acts, etc.

Modifications:

- The storage location of the audiovisual recording in lieu of the signature of the principal; and
- A notation identifying the system and/or technology used to perform the notarization.



Excuses For Not Using a Journal

- ☐ 99% of my notarizations are routine; no issues.
- ☐ Significant time delay between notarization and the issue.
- ☐ We don't hear about notaries being charged with a crime.
- ☐ It takes too much time to journal.
- ☐ I don't make mistakes and/or I have not been called to testify about a notarization.
- ☐ My state does not require me to maintain one.

Reasons Journals Are Important to Notaries

1. Establishes signer presence.

- This is the most fundamental requirement for a valid notarization.
- Our notarial certificates leave us once the signing over.
- The only evidence to corroborate a signer's appearance is a permanent, contemporaneously completed, chronologically sequenced journal containing a signer's signature, initials, and/or thumbprint.
- They provide tangible proof of due diligence by the notary.

Reasons Journals Are Important to Notaries

2. Assists in the assessment of signer intent, willingness, and competency

- Completing the journal entry, requires a conversation between the notary and signer

Plus...

- Provides an opportunity to inspect the document
 - Notarial certificate has compliant wording
 - Document does not have blanks

CREATING A JOURNAL ENTRY

☐ **Record every notarial act (even the ones you don't finish)**

☐ **Every entry must include:**

- Date and time of notarization
- Type of notarial act
- Description of document
- How signer was identified
 - Personal Knowledge
 - Satisfactory Evidence
 - Include the type of ID, issuing entity, issue or expiration date
 - **DO NOT enter the number of any ID!!!**
 - Credible Witness – separate entry
- Printed Name, Signature & Address of Signer/Requestor
- The Fee (if charged)
- Other Information

Example Journal Entries for Common Notarial Acts

Traditional Signature Witnessing / ID – Current DL

DATE OF NOTARIZATION <u>9/16/2022</u> TIME <u>9:15</u> AM/PM		<input type="checkbox"/> JURAT (Platform)
DATE OF DOCUMENT <u>9/16/2022</u>		<input checked="" type="checkbox"/> SIGNATURE ACT PERFORMED REMOTELY (Platform)
TYPE OF DOCUMENT <u>POA</u>		<input type="checkbox"/> CERTIFICATION COPY (Platform)
NO. OF DOCUMENTS <u>1</u>	FEE \$ <u> </u>	<input type="checkbox"/> OTHER A/V File Location
SIGNER TO COMPLETE THIS SECTION		
SIGNATURE <u>[Signature]</u>		
PRINTED NAME <u>EM KRISDICH</u>		
ADDRESS <u>PO BOX 202881</u>		
CITY/ST/ZIP <u>Helena MT 59620</u>		
TYPE OF IDENTIFICATION		
<input type="checkbox"/> Personal Knowledge <input checked="" type="checkbox"/> ID Document <u>MT DL</u> (Type & Issuing Entity)		
Issue/Exp Date <u>7/21/2025</u>		
<input type="checkbox"/> Credible Witness Name (Signature)		
<input type="checkbox"/> OTHER (PKA, Credential Analysis, etc.)		
INCLUDE OTHER INFORMATION ON BACK		

No. 193

Traditional Copy Certification – Signature Not Required

OFFICIAL JOURNAL RECORD OF NOTARIAL ACT		TYPE OF NOTARIAL ACT	
DATE OF NOTARIZATION <u>9/21/2022</u>	TIME <u>2:30</u> AM/PM	<input type="checkbox"/> ACKNOWLEDGMENT	ACT PERFORMED ELECTRONICALLY (Platform)
DATE OF DOCUMENT <u>6/5/2018</u>		<input type="checkbox"/> JURAT	
TYPE OF DOCUMENT <u>Diploma</u>		<input type="checkbox"/> SIGNATURE	ACT PERFORMED REMOTELY (Platform)
NO. OF DOCUMENTS <u>1</u>	FEE \$ <u> </u>	<input checked="" type="checkbox"/> CERTIFICATION COPY	(Platform)
		<input type="checkbox"/> OTHER	A/V File Location
SIGNER TO COMPLETE THIS SECTION		TYPE OF IDENTIFICATION	
SIGNATURE <u>[Signature]</u>		<input type="checkbox"/> Personal Knowledge <input type="checkbox"/> ID Document (Type & Issuing Entity)	
PRINTED NAME		Issue/Exp Date	
ADDRESS		<input type="checkbox"/> Credible Witness Name (Signature)	
CITY/ST/ZIP		<input type="checkbox"/> OTHER (PKA, Credential Analysis, etc.)	
INCLUDE OTHER INFORMATION ON BACK			

DIPLOMA FROM MSU - MICHAEL JOHNSON No. 194

Traditional Acknowledgment / ID - Credible Witness

OFFICIAL JOURNAL RECORD OF NOTARIAL ACT		TYPE OF NOTARIAL ACT	
DATE OF NOTARIZATION <u>9/30/2022</u>	TIME <u>3:20</u> AM/PM	<input checked="" type="checkbox"/> ACKNOWLEDGMENT	ACT PERFORMED ELECTRONICALLY (Platform)
DATE OF DOCUMENT <u>8/12/2022</u>		<input type="checkbox"/> JURAT	
TYPE OF DOCUMENT <u>Quit-claim Deed</u>		<input type="checkbox"/> SIGNATURE	ACT PERFORMED REMOTELY (Platform)
NO. OF DOCUMENTS <u>1</u>	FEE \$ <u> </u>	<input type="checkbox"/> CERTIFICATION COPY	(Platform)
		<input type="checkbox"/> OTHER	A/V File Location
SIGNER TO COMPLETE THIS SECTION		TYPE OF IDENTIFICATION	
SIGNATURE <u>Keenan Blatheruck</u>		<input type="checkbox"/> Personal Knowledge <input checked="" type="checkbox"/> ID Document <u>MT State Emp ID</u> (Type & Issuing Entity)	
PRINTED NAME <u>Keenan Blatheruck</u>		Issue/Exp Date <u>8/2/2018</u>	
ADDRESS <u>6015 Legend Loop A307</u>		<input checked="" type="checkbox"/> Credible Witness Name <u>Steve Kuster</u> (Signature)	
CITY/ST/ZIP <u>Helena, MT 59602</u>		<input type="checkbox"/> OTHER (PKA, Credential Analysis, etc.)	
INCLUDE OTHER INFORMATION ON BACK			

No. 195

RON Signature Witnessing / ID – Personal Knowledge

OFFICIAL JOURNAL RECORD OF NOTARIAL ACT		TYPE OF NOTARIAL ACT	
DATE OF NOTARIZATION <u>10/6/2022</u>	TIME <u>8:40</u> AM/PM	<input type="checkbox"/> ACKNOWLEDGMENT	ACT PERFORMED ELECTRONICALLY (Platform)
DATE OF DOCUMENT <u>3/17/2005</u>		<input type="checkbox"/> JURAT	
TYPE OF DOCUMENT <u>M/D TITLE - FORM M/24T</u>		<input checked="" type="checkbox"/> SIGNATURE	ACT PERFORMED REMOTELY (Platform) <u>Cyberage ID!</u>
NO. OF DOCUMENTS <u>1</u>	FEE \$ <u> </u>	<input type="checkbox"/> CERTIFICATION COPY	(Platform)
		<input type="checkbox"/> OTHER	A/V File Location <u>Personal A/V's account</u>
SIGNER TO COMPLETE THIS SECTION		TYPE OF IDENTIFICATION	
SIGNATURE <u>[Signature]</u>		<input checked="" type="checkbox"/> Personal Knowledge <input type="checkbox"/> ID Document (Type & Issuing Entity)	
PRINTED NAME		Issue/Exp Date	
ADDRESS		<input type="checkbox"/> Credible Witness Name (Signature)	
CITY/ST/ZIP		<input type="checkbox"/> OTHER (PKA, Credential Analysis, etc.)	
INCLUDE OTHER INFORMATION ON BACK <u>(over)</u>			

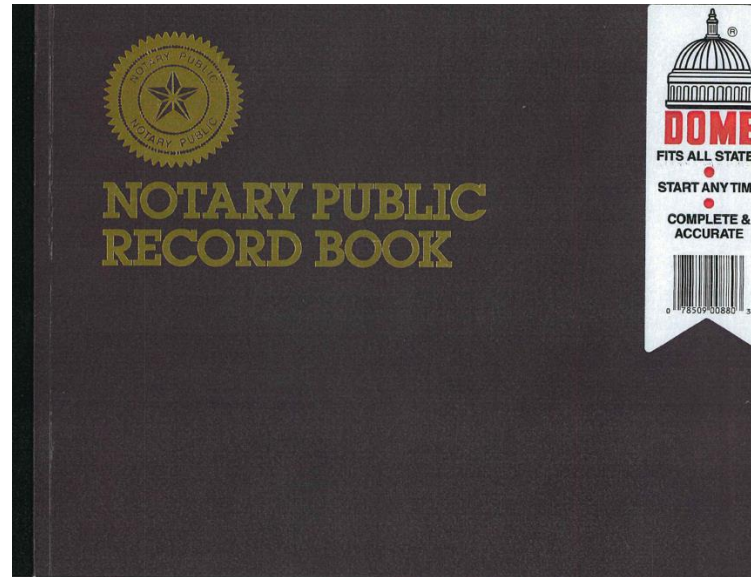
No. 196

Basic Paper Journal Styles

Linear Style

PROS

- ✓ Inexpensive
- ✓ Over 500 entries
- ✓ Lightweight
- ✓ “Universal”



CONS

- Hard to write in
- Hard to read
- Not State Specific
 - No “Time” space
- Entries not private

Page 1	1 DATE NOTARIZED	2 TYPE OF NOTARIZATION	3 DATE OF DOCUMENT	4 TYPE OF DOCUMENT	5 PRINTED SIGNATURE OF INDIVIDUAL SIGNATURE	6 ADDRESS OF INDIVIDUAL	7 DETAILED IDENTIFICATION OF INDIVIDUAL	8/9/10 FINGERPRINT AND OTHER INFORMATION	11 NOTARY FEE
1	1-1-	Acknowledgment	12-28-	Power of Attorney	Harry Smith	1 Harry Smith	40 Star Street Dallas, Texas 75248 Tx D.L. # 5757720 SS# 010-82-1234	1 WITNESS: Personal Acquaintance	\$1.50
2	1-5-	Ack	1-5-	Car title	Jane Doe	1 Jane Doe	455 Mariana Circle Oklahoma City, OK 85010 OK D.L. # 23443210 SS# 621-45-7891	2	\$1.50
3	1-7-	Oath	1-6-	Will	Ralph Johnson	1 Ralph Johnson	7534 Central Drive Phoenix, Arizona 85018 AZ D.L. # 76941253 VISA # 0174-253-143-159	3 Introduced by my secretary Jan Smith - personal acquaintance	\$1.50
4								4	\$
5								5	\$
6								6	\$
								7	

SAMPLE

Basic Paper Journal Styles

Linear Style

PROS




- ✓ More space for entries
- ✓ Almost 1000 entries
- ✓ Prompts for ID type
- ✓ Good instructions – (multi-state)



CONS

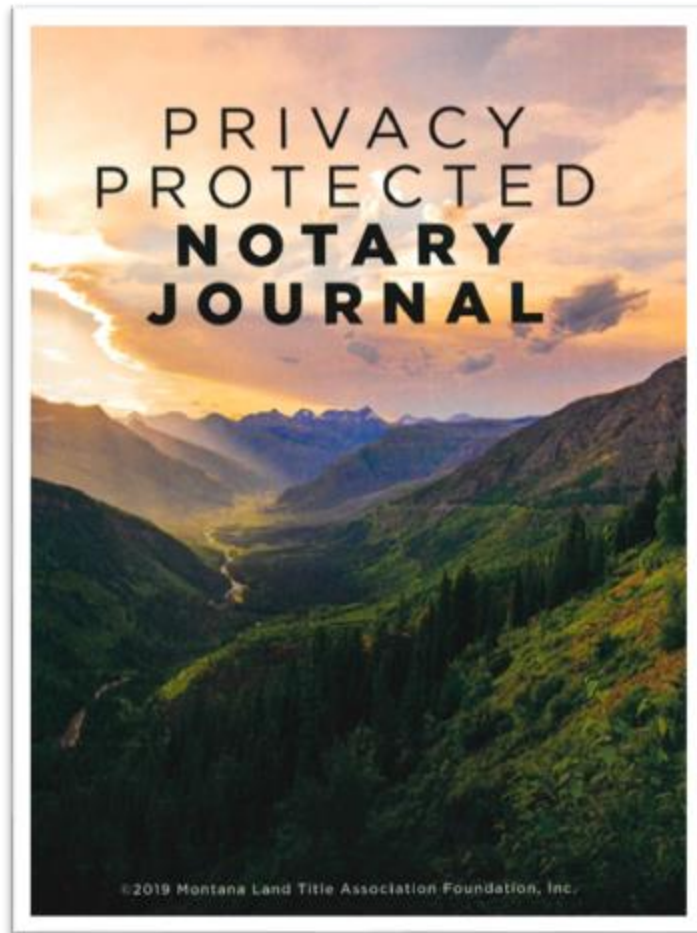
- Hard to write in
- Hard to read
- Entries not private

INSTRUCTIONS FOR MAKING JOURNAL ENTRIES				
Date and Time of Notarization	Kind/Type of Notarization/Certificate	Address Where Notarization Performed	Document Kind/Type and Date	Name and Address of Signer
March 2, 20XX 3:00 p.m.	Acknowledgment	510 Doherty Drive Beverly Hills, CA 90409	Grant Deed Date of Document: March 1, 20XX	John R. Allen 510 Doherty Drive Beverly Hills, CA 90409 (310) 555-2386
March 2, 20XX 3:00 p.m.	Acknowledgment	510 Doherty Drive Beverly Hills, CA 90409	Grant Deed Date of Document: March 1, 20XX	Mary S. Allen 510 Doherty Drive Beverly Hills, CA 90409 (310) 555-2386
March 14, 20XX 10:45 a.m.	Jurat	123 Main Street Beverly Hills, CA 90409	Affidavit of Forgery Date of Document: March 14, 20XX	Samuel Curran 625 Park Ave. New York, NY 10642 (212) 555-7533

Identification of Signer	Additional Information	Notary Fee	Signature of Signer	Right Thumbprint of Signer <small>(prohibited in ME, NC and TX)</small>
<input type="checkbox"/> Personally Known by the Notary <input checked="" type="checkbox"/> ID Cards – Describe each card below <input type="checkbox"/> Credible Witnesses – Include signature of each witness CA Driver License – DMV R7123066 Expires 9/23/20XX	Signers are husband + wife. Certificate form stapled to document.	\$15	John R. Allen	 1
<input checked="" type="checkbox"/> Personally Known by the Notary <input type="checkbox"/> ID Cards – Describe each card below <input type="checkbox"/> Credible Witnesses – Include signature of each witness Michael Smith Michael Smith (personally known)	address of credible witness: 345 S. Westlake Ave. Los Angeles, CA 90057	\$15	Mary S. Allen	 2
<input type="checkbox"/> Personally Known by the Notary <input checked="" type="checkbox"/> ID Cards – Describe each card below <input type="checkbox"/> Credible Witnesses – Include signature of each witness NY Driver License – DMV 123 456 789 Expires 4/22/20XX		\$15	Samuel Curran	 3

Basic Paper Journal Styles

Block Style



FEATURES

- ✓ Easy to use
- ✓ Legally compliant in all states
- ✓ Easily protects previous entries
- ✓ Room on back of each block for more information

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DATE OF DOCUMENT		<input type="checkbox"/> JURY	<input type="checkbox"/> ACT PERFORMED REMOTELY (Platform)
TYPE OF DOCUMENT		<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> CERTIFICATION COPY (Platform)
NO. OF DOCUMENTS	FEE \$	<input type="checkbox"/> OTHER	A/V File Location
SIGNER TO COMPLETE THIS SECTION		TYPE OF IDENTIFICATION	
SIGNATURE		<input type="checkbox"/> Personal Knowledge	<input type="checkbox"/> ID Document (Type & Issuing Entity)
PRINTED NAME		<input type="checkbox"/> Credible Witness Name (Signature)	Issued/Exp. Date
ADDRESS		<input type="checkbox"/> OTHER	(FRA, Creditworthiness Analysis, etc.)
CITY/ST/ZIP		INCLUDE OTHER INFORMATION ON BACK	

No. 193

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SIGNER TO COMPLETE THIS SECTION		TYPE OF IDENTIFICATION	
SIGNATURE		<input type="checkbox"/> Personal Knowledge	<input type="checkbox"/> ID Document (Type & Issuing Entity)
PRINTED NAME		<input type="checkbox"/> Credible Witness Name (Signature)	Issued/Exp. Date
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CITY/ST/ZIP		INCLUDE OTHER INFORMATION ON BACK	

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DATE OF DOCUMENT		<input type="checkbox"/> JURY	<input type="checkbox"/> ACT PERFORMED REMOTELY (Platform)
TYPE OF DOCUMENT		<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> CERTIFICATION COPY (Platform)
NO. OF DOCUMENTS	FEE \$	<input type="checkbox"/> OTHER	A/V File Location
SIGNER TO COMPLETE THIS SECTION		TYPE OF IDENTIFICATION	
SIGNATURE		<input type="checkbox"/> Personal Knowledge	<input type="checkbox"/> ID Document (Type & Issuing Entity)
PRINTED NAME		<input type="checkbox"/> Credible Witness Name (Signature)	Issued/Exp. Date
ADDRESS		<input type="checkbox"/> OTHER	(FRA, Creditworthiness Analysis, etc.)
CITY/ST/ZIP		INCLUDE OTHER INFORMATION ON BACK	

No. 196

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Your Notary JOURNAL



✓ **PROOF**

✓ **PROTECTION**

✓ **PREVENTION**

It's your "diary" – USE IT!!!!

Thank You

