

Louisiana Notary™

March 2002 HCR 81 Questionnaire Forms & Letters and May 2002 E-mail Questionnaire Responses Complete Text

Also Included

Letter from Gregory R. Olivier DeKeyzer
Founding Editor

Surveys conducted and results compiled by

Louisiana Notary

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Billy Baudoin

Jefferson Davis, 1999

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **No -- Most Notaries can't afford Mandated anything. There should be a way to have any legislation newly passed to be sent to the practicing notary. That way you would get information continuously thorough the year. Remember a notary doesn't make a living doing this!**

Is a statewide commission important to you in your practice? **Not at the present.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Not much. The Jefferson Davis Parish test is sufficient.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Don't know**

What materials did you find most helpful in preparing for your exam? **Sid Horn's class and Notary Manual**

If you were writing the exam, on what books would you draw for developing questions? **Sid Horn Notary Manual and Motor Vehicle Manual**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **None**

Who should administer a statewide test if it is decided to change the office from parish to state? **Secretary of**

State

If the management of the notaries is removed from the courts, under whose authority should it be placed? **I don't think it should be removed!**

How should mandatory continuing education courses be qualified for accreditation? **Refer to first Question. There should not be any**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **This is by my understanding a Free Country**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes.. Under the Constitution of the United States, We are a free country. I would say ,if that's the case, Why not get rid of so many lawyers, even doctors, clean out the legislature, even cancel the notary appointment of the one who wrote this questionnaire. The point is we are a free society and notaries are suppose to be doing a service to the community. I know of no notary who is making enough to justify any of this.**

Should attorneys be exempt from notary exams? **It is my understanding that they are taught this in Law School, but maybe they didn't learn much, as you probably think most notaries did! Any how, I wish you well on such a touchy subject!**

JoAnn Bess

Bienville Parish, 1978

Non-Attorney

1. I am personally in favor of mandated continuing education for notaries. In the rural area where I live, I need to know what is going on with the changes in laws most particularly involving the elderly. I am not an attorney and do not pretend to give advise, but it is important to be able to give an intelligent answer regarding choices and options. I go to nursing homes, homes of the confined and people that are too ill to leave home. I am on the Advisory Council of Council on Aging and most of this type work is Pro Bono and well worth it.

2 & 3. A statewide commission is not greatly

important to me. However, I feel it would be better to have a statewide commission than try to just limit a notary to a few surrounding parishes which is beneficial.

4. Yes, if mandated for practicing notaries, I feel all notaries should be included, and I would opt to qualify for the new commission.

5. I do not remember exactly about the exam I took (approx. 30 yrs. ago) but it certainly did not prepare me for the areas of practice I am now involved in.

Questions on writing an exam and preparation, I am not qualified to answer as the variables are up to the individual. My preparation was unorthodox and not particularly designed for the purpose. I bought a lot of form books, Louisiana Civil Code books, read lots of material garnered from the Court House. Talked to attorneys and realized they, for the most part, do not know a lot about notarial work.

6. Governance, regulation, policing, etc. probably cannot be done effectively outside the Notary's office. This is instilled into the Notary and in order for a Notary to maintain a practice and be respected by the public and himself, there has to be a built-in honor code and a law abiding individual or his commission will be useless to him and he will fail.

7. For the sake of convenience, and local parish officials knowledge, it would be more prudent to have the test administered by parish officials within the parish.

8. Management of notaries should remain under authority of courts.

9. If a notary subscribes to updated and current publications of enlightenment regarding legislative happenings, and keeps apprized of local laws, votes regularly they should be qualified for accreditation. Of course the various forums held periodically with other notaries and visiting speakers are helpful also.

10. In my opinion, there should be a limited number of notaries in any area and this could be determined by local public officials by need. And definitely selected by test score, and possibly based on interviews with same officials probably known to them as to integrity, capability of

compliance, overall reputation.

11. I do not think the governor is in a position to know this. 30,000 may be too many. Yes, I would object.

12. Attorneys have a right to take the exam.

Bonnie S. Boudreaux

LaFayette, 1985

St. Landry, 1999

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **Yes. Extremely important.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Yes.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **What steps are needed to complete a transaction if all parties are not present.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No.**

What materials did you find most helpful in preparing for your exam? **Notary manual, classes.**

If you were writing the exam, on what books would you draw for developing questions? **Any & all legal books.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Any way**

that would allow for notaries that are knowingly not handling transactions in the legal manner to be reported and some action taken against them. (There are too many notaries that do not follow the rules as set forth by the laws for notaries.)

Who should administer a statewide test if it is decided to change the office from parish to state? **Someone from the state.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Someone from the state that deals with notaries and their authorities.**

How should mandatory continuing education courses be qualified for accreditation? **That is something that may be hard to handle; there are notaries that no longer have valid commissions but yet they still notarize documents.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Yes. Anyone who passes the test and supplies all the necessary bonds be allowed as notaries.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes.**

Should attorneys be exempt from notary exams? **No.**

Charles T. Boudreaux

LaFayette Parish, 1998

Non-Attorney

1. Are you in favor of legislatively mandated continuing education for notaries? **Considering the pace at which the laws are changing, I think continuing education is important and should be done.**

2. Is a statewide commission important to you in your practice? **A statewide commission is not important to my practice at this time. I do feel it would be a benefit.**

3. Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes, as long as the commissioning process, continues to**

be done in the parish. I would not like to see people have to travel to Baton Rouge to be commissioned. That would most certainly turn a couple hour process into a whole day or more.

4. If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Not sure, it would depend on how crazy the legislators got with the exam and requirements.**

5. In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes, I feel the exam for LaFayette Parish did give sufficient coverage. I took my class as a regular semester course at University of Louisiana and the final exam was comparable to the LaFayette Parish Exam. I actually had to take both exams.**

6. If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **The exam should touch upon all areas that the Notary works in. I feel the LaFayette Parish Exam does exactly that.**

7. Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

8. Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes.**

9. What materials did you find most helpful in preparing for your exam? Sydney Horn's book was the textbook for out class. **Our class was taught by an attorney which gave us a good legal insight and something else I found most helpful.**

10. If you were writing the exam, on what books would you draw for developing questions? **No response.**

11. What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **No Comment.**

12. Who should administer a statewide test if it is decided to change the office from parish to state? **The parish, just use a statewide standard test.**

13. If the management of the notaries is removed from the courts, under whose authority should it be

placed? **Don't fix something that is not broke!**

14. How should mandatory continuing education courses be qualified for accreditation? **No comment.**

15. Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Again, why try to fix something that is working?**

16. If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No I would not object, it that was the governor's decision. I would question how many of the 30,000 are on the rolls but are not practicing?**

17. Should attorneys be exempt from notary exams? **Yes, just as it is now.**

Rodney G. Bourg

Terrebonne Parish, 1990

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Mandated Continuing Education, tricky legal terminology, while I a firm supporter of Continuing Notary Education, until the definition of the term Mandatory Continuing Education, is distinct in definite requisites, stipulations and substance, I withhold me opinion on this subject matter (Mandated?)**

Is a statewide commission important to you in your practice? **Yes, as long as there are notaries authorized to perform notary functions in every parish of the state, with no regard to knowledge of Louisiana Civil Law, this matter is very important to me, in so far as it restores equality and fairness to the Office of Notary Public. (Pre-1983)**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Depending on the structure and foundation of the proposed statewide commission, I would support any measure that best serves the Office of Notary Public, and is the easiest to enforce.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **I would re-qualify by taking**

a new exam, along side of my colleagues who has enjoyed this privilege since 1983, without any further certification or examination. [RS 35:191 (P)] The key terms are equality and fairness.

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Legal Notary terminology definitions, powers and duties of the Office of Notary Public, Qualifications of the Office, Bond requirement and renewal, including personal surety, Liability of the Notary, Kinds of writings, Act under private signature, Act under private signature duly acknowledged, and The Authentic Act, the candidate must be able to distinguish between the three. An assortment of Appearance clauses, Marital Status declarations, General legal capacity, age of majority, Contracts, Essential elements of a contract, Sale of Title Movables, including DPSMV 1799, Vehicle Application, Secured Transactions, Sales of Immovables, including drafting a legal description from a Surveyors Land Map, Credit Sale and Mortgages, Bond for Deeds, Mandates, Provisional Custody by Mandate Form, duration and termination, Acts of Correction, Leases, Intro Vivos Donations, Mortis Causa Donations (Wills and Testaments), Successions, generally and any other material covered by "A Basic Louisiana Notary Guide, by James D. Johnson, Jr and Susan L. Johnson.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Not that I remember, I took my test on December 10, 1989.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Not that I remember.**

What materials did you find most helpful in preparing for your exam? **A Handbook for Notary Study, by James D. Johnson, Jr., Sidney Horn's books on Notary Study and Terminology, Black's Law Dictionary, Louisiana Civil Code, Louisiana Revised Statutes Title 9.**

If you were writing the exam, on what books would you draw for developing questions? **All of the above listed books, plus any additional information**

gathered from varies Notary Publications and/or Associations.

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **I would like to see an independent notary organization (perhaps the Louisiana Notary Association) take over the day-to-day activities of all notaries. All commissioned notaries would have to be a member in good standing with the organization or risk removal from office. (Dues paid, bonded and up-to-date) The organization would submit names of violators to the Louisiana Department of Justice, who would then file for removal after a hearing on the matter in the appropriate court of jurisdiction, possibly the State Supreme Court.**

Who should administer a statewide test if it is decided to change the office from parish to state? **I would suggest that the above organization have representatives in the respective parishes to administer the test locally. (Local Notary Examination Committees under the supervision of the organization) As for those who is taking the Louisiana Bar Exam, make the test an optional part of the Bar Examination.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **The above organization.**

How should mandatory continuing education courses be qualified for accreditation? **By the Louisiana Supreme Court, and the Louisiana Department of Justice.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Only the best candidates of any particular test should be granted acceptance for appointment. Set a figure or percentage for consideration.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No I wouldn't object, the current roll needs to be investigated or purged, for the deceased and non-compliance.**

Should attorneys be exempt from notary exams? **Absolutely not, why grant such preferential treatment, as defined in 35:191 C 2 e, to those who desires to practice law in the state (Equality and**

Fairness), Knowledge of the Louisiana Civil Code must be a prerequisite.

Miki Broeme

Rapides, 2002

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes**

Is a statewide commission important to you in your practice? **Yes**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Yes**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **??**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Somewhat**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No**

What materials did you find most helpful in preparing for your exam? **College study course**

If you were writing the exam, on what books would you draw for developing questions? **Notary Handbook**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts?

Who should administer a statewide test if it is decided to change the office from parish to state? **Same places.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Why remove it from the courts?**

How should mandatory continuing education courses

be qualified for accreditation? **Turn in slip of completion to the commissioners office**

Should anyone who can pass a given test be able to be a notary (**Yes**) or should there be competition for a limited number of new appointments? (**No**)

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes. Yes. Yes. That would be ignorant.**

Should attorneys be exempt from notary exams? **No**

Mittie P. Chaney (Veillon)

East Baton Rouge 1991

Livingston 1999

Non-attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **Yes, particularly now that I am working for a real estate title company. My earnings would be better if I could notarize statewide.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **I don't believe that's necessary for actively practicing notaries, particularly if continuing education were required. Maybe for notaries who are stale from lack of practice.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **In EBR Parish the exam was sufficient, however most new notaries should be required to work an internship before they practice. Just my opinion.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **An internship.**

Were you examined on the role and responsibilities of

the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes**

What materials did you find most helpful in preparing for your exam? **I was already studying the law as a paralegal when I took the exam so was probably a little more prepared than some. I believe a good basic notary preparation course is invaluable and should be required. The courses presently offered don't really prepare a notary for practice, in my opinion.**

If you were writing the exam, on what books would you draw for developing questions? **The same as are used in EBR Parish except with a longer more intense course of study.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Don't know.**

Who should administer a statewide test if it is decided to change the office from parish to state? **The test could be administered in each parish as it is now, except of course the same test would be given state wide.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Don't know.**

How should mandatory continuing education courses be qualified for accreditation? **Perhaps several seminars offering information in different areas of notarial law could be offered each year. Then each notary could choose one in which he/she would like to become more proficient in, etc. The seminars could be rotated so that over a period of time all areas would be covered with one specifically designed to cover new legislation as the laws change each year.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **I don't know but I do know there are some folks who have passed an exam who have no business practicing.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No.**

Should attorneys be exempt from notary exams? Yes, but some instruction on how to be a notary should be required. **You and I both know how often we have to correct mistakes attorney's make who don't know notarial law.**

Melanie D. Conner

Calcasieu, 1998

Non-Attorney

In response to your question, I offer the following responses:

I am totally against legislation mandating continuing education for notaries.

I believe a statewide commission is not necessary and would be unwise as parishes vary. Therefore, I would not support a statewide commission. Maybe for those who would like a statewide commission, they can get a different commission than the parish commission.

I strongly feel the exam I took to receive my commission was more than sufficient for my areas of practice.

I was examined on the role and responsibility of the notary as a public official and the crimes with which I could be charged for failure to follow the laws.

I found the prep class conducted by a local notary expert to be very beneficial in preparing for my exam. I believe I would have failed miserably without this expert.

I do not have a preference to what books I would draw questions for the exam.

The only thing I would change is that I would institute different tiers of notaries. In my case, I only need to be able to do title transfers and authenticate documents previously prepared by lawyers. I think there should be levels of notaries and the ones that can do as much as a lawyer like mortgages, wills, etc. should have continuing education. I don't use my commission for that purpose, so I am not in favor of continuing education. I also don't need a statewide commission, but I'm sure some do. It's just not an

"across the board" issue.

I'm not in favor of "across the board" statewide testing, so I wouldn't know who should administer such and animal.

I am not qualified to answer "who should have authority if management is removed from courts".

There **SHOULD NEVER BE A LIMITED NUMBER** of new appointments because we all

know we in the great state of Louisiana can not play "fair" and only those granddaughters and friends of the hierarchy would get appointed.

Attorneys should be exempt from the exam only if there is a course they have to take in college for this already.

Melanie Conner- Commissioned in Calcasieu Parish (Five Parishes included with commission which is more than ample)

Mary E. Dey

Orleans Parish, 1998

Non-attorney

Yes, I'm in favor of continuing education.

I do not want to take another exam but am in favor of statewide commissions.

I took the Orleans Parish exam which was very extensive and intense (3 hours long).

I believe that the notary schools need to cover the actual documentation executed and not just the Code books.

I found Johnsons' Notarial Manual very helpful. However, my office had the set at work and we were taught strictly from the Code books.

If I wrote the exams, I would draw the questions from Johnsons' Notarial Manual.

Since I'm in a dilemma because I bought a house in Jefferson Parish, but commissioned in Orleans Parish and haven't been a notary for five years, my firm no longer will let me notarize until I've been a notary for five years to meet the requirements. That is why I'm in favor of statewide exams.

Secretary of State should administer the tests.

MCE should qualify just as CLE.

Yes, anyone should become a notary if they pass the test.

If the governor decided that 30,000 was enough, I believe that the requirements to become a notary should be more stringent.

Yes. Attorneys should be exempt from notary exams.

MCE - Yes, we should have it for notaries Yes, we should have statewide testing and commissions Yes, we should have a monitoring and enforcement of standards.

Charmaine K. Efferson

East Baton Rouge Parish, 1998

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **I do not have a problem with continuing education for notaries, as long as the cost is not too high, and they have night/weekend courses available for those of us who work full time for companies that will not allow time off for notary education, as it has nothing to do with my full-time job.**

Is a statewide commission important to you in your practice? **No.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Probably not. I really don't understand the ramifications of state commission versus parish commissions.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Have everyday situations and ask them what steps they would take to handle. Also, give them cases**

where someone comes to them asking for advise on different things (i.e. wills, donations, etc.) and grade the advice they give.

Were you examined on the role and responsibilities of the notary in his capacity as public official? **I remember touching on that, but I'm not sure if it was in the preparatory class or on the actual exam.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **I remember being taught about the seriousness of being a notary, and being made aware that I am personally responsible for my actions (up to and including huge law suits, and/or jail time, but I don't remember if it was on the actual exam. (It's been 3 years since I took the exam.)**

What materials did you find most helpful in preparing for your exam? **We used the Underwood books in my 3-month preparatory class.**

If you were writing the exam, on what books would you draw for developing questions? **I don't know.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **I don't know.**

Who should administer a statewide test if it is decided to change the office from parish to state? **I don't know.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **I don't know.**

How should mandatory continuing education courses be qualified for accreditation? **I don't know.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Anyone who passes the test should be able to be a notary.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **I'm not sure if I agree with that or not. What about the one's who are already notaries?**

Should attorneys be exempt from notary exams? **No they should not be exempt from the notary exam.**

Joe D. Evers

Ouachita Parish, 1978

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes, I feel that Continuing Education would be beneficial!**

Is a statewide commission important to you in your practice? **No.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **I do not operate outside my parish of residence.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **I have heard discussion that the Ouachita Parish exam is one of the most difficult in the state. It was quite challenging and covered inheritance, property transfer, and related transactions.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **The basic exam should cover property transfer documentation, Office of Motor Vehicle transfer documentation, affidavits, wills, and estate inventory requirements.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **I took the exam in 1997 so I fail to remember.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **It was covered in the class I took.**

What materials did you find most helpful in preparing for your exam? **I enrolled in a Notary preparatory class. We used the Louisiana Notarial Handbook and example forms.**

If you were writing the exam, on what books would you draw for developing questions? **The Notarial Handbook and any other appropriate reference material that contains current relevant law on the subject.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **I don't have a recommendation on this.**

Who should administer a statewide test if it is decided to change the office from parish to state? **I would think the clerk of court could be involved since the successful notary would be processing documents that would need to be handled in the clerks office.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **No suggestion.**

How should mandatory continuing education courses be qualified for accreditation? **Material covered in seminars, workshops, chapter meetings, in classroom presentations, conferences, or other means should be able to re-educate the notaries on appropriate form, content, and legal standing of transaction and action that they are legally qualified to handle. If necessary, there should be a board or committee established to approve the material prior to awarding credit to the participants.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **I do not see the benefit of limiting the number of Notaries allowed to practice.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **If the number of Notaries allowed were limited, individuals could continue to be preparing for commission. This would make a ready pool of approved, successful candidates ready for when a vacancy is created.**

Should attorneys be exempt from notary exams? **No.**

Michele T. Fry

East Baton Rouge, 1999

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes, with stipulations. I favor the requirement of a basic notary commission (and uniform statewide exam) to perform the "basic" notarial function of witnessing signatures on**

affidavits, acknowledgements and acts, taking oaths, etc. The only "mandatory" continuing education I favor for this would be an annual update on laws which affect notaries, which could perhaps be satisfied by a magazine issued by (or sanctioned by) the Notary Commission to all commissioned La. notaries, by subscription. Once the State has notified its public officials of any updates in their responsibilities, then the liability would rest upon the notary. Til then, the State should bear the liability.

BUT, I believe additional training certificates should be required before a notary can practice, especially to PREPARE documents in specialized areas such as real estate transfers; wills, trusts & successions; motor vehicle transactions; incorporations, powers of attorney. Perhaps other areas of specialty which require detailed knowledge could be provided as well, such as international notarial law. These additional courses need not be taken by notaries who have no intention of practicing in these areas of specialty, but would assure the public a higher level of safety in areas which require substantial knowledge of details. In these areas, perhaps periodic updates could be provided via either mandatory classes or mandatory newsletter subscription, either of which would transfer liability for incompetence from the State to the notary.

These classes/newsletters would have to be funded by fees paid by the notary, but only for those courses where he/she intends to practice. This would hold down costs to the public over expensive "live course" formats, which is a primary concern of mine.

Is a statewide commission important to you in your practice? Not at the moment because I am stationary in Baton Rouge, but I can foresee where it might be beneficial to more mobile notaries, and it might be useful to me should I begin spending more and more time in Mandeville. More importantly, I can't see where a statewide commission does the public any harm, as the law is the same throughout the state, and I see no reason for a restrictive rule unless there is some valid reason for it. It seems a very inefficient use of resources to limit any notary's jurisdiction by area, rather than by competence.

Would you support the revocation of current parish

commissions in favor of a statewide commission? Yes.

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? I believe it would be a waste of the State's valuable time and resources to go through this re-testing process. Commissioned notaries are already qualified and should automatically qualify for a state commission as there is absolutely no additional skill required to practice what I do within my parish, outside my parish. I'd rather see the time and resources spent delivering something of real value: I would happily have my "you can do it all" parish commission transferred to a Basic Statewide Commission, then be required to take additional classes to qualify in specialized areas, as mentioned above, also on a statewide basis. Of course, I don't want my commission to be stripped of any privileges until courses are in place for me to take so I can quickly re-qualify for the full range of services I already provide. I don't favor the grandfathering principle. It's time we all were on the same page. Maybe the course developers could be grandfathered in.

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? Absolutely not. I passed the 4 hour exam the first time out because the L.S.U. summer training course I took was specifically geared to "teaching us to pass the test", which I did the first time. But I've had to scrounge and scurry to learn every facet of my profession since my exam and still have many areas where I am undertrained. A 12 hour exam would not begin to prove proficiency in all the areas of practice a notary can legally involve themselves in under the current system. Which is precisely why I recommend breaking "areas of proficiency" up into smaller chunks - basic, real estate, motor vehicle, wills, POA's, etc., with an exam for each.

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? As above, break it down into areas and let the experts develop a thorough course and exam on each, and issue a valid certificate for each. One can graduate from medical school, and must still obtain additional training to practice as a surgeon, gynecologist, or any other area of specialty.

Were you examined on the role and responsibilities of

the notary in his capacity as public official? **Can't exactly remember the exam. I was more or less taught notarial responsibility in my training course, but the "role" of the notary as a "first line of defense against fraud" and "protector of private property" was something that came to me gradually afterwards, from many sources. In fact, the ideology behind the invention of "notary" is almost totally ignored everywhere, which in my mind should be the very first thing taught, and definitely should be part of the exam.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No.**

What materials did you find most helpful in preparing for your exam? **My only text books were Ronnie LeBoeuf's CAT Publications Notary Public Study Reference, Workbook and Glossary. We were told not to clutter our brains up with anything else because these books covered everything that would be on the test. They, of course, did not, but covered enough to pass. After the exam I purchased the Civil Code, Johnson's Handbook, and Family Law, and subscribed to the Louisiana Notary, joined the Louisiana Notary Association, the Practicing Notary, and the American Society of Notaries.**

All have been helpful, but the most helpful has been being mentored by a few notaries who were available to coach me through specific problems. Even after a 2 year course of study, I believe new notaries whose commission covered "everything" would need mentoring, or specialized classes.

If you were writing the exam, on what books would you draw for developing questions?

I'll leave this to the experts.

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Don't know. A notarized document is there to protect the citizen. At such time as a document fails to do so, I suppose calling the notary to court and holding her liable for fraud or ineptitude is just as effective in protecting the citizen as in an instance of liability in any other profession.**

Who should administer a statewide test if it is decided to change the office from parish to state? **The Notary**

Commission. The State is actually responsible for seeing that it's public officials are properly trained to carry out their official mandate. The State, therefore, should generate the text book which should cover "Here's what notaries do, and here's how they do it.", qualify instructors according to their skill at teaching (not just their notarial skill), prepare the test, and bear liability if they fail to deliver and/or update the information.

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Management? The Notary Commission, I guess. Courts are the official judicial arm of the State, though, and could suspend or withdraw a notary's commission fully, or in a specialized area depending on the judgment made.**

How should mandatory continuing education courses be qualified for accreditation? **By the Notary Commission, as above. I envision them appointing the best qualified notary in each area of competence, having them assemble a state-wide team to develop a comprehensive course on each area of proficiency, develop a state-wide textbook and testing procedures on each subject, select the best possible instructors for each and send them stumping around the state. This and updates would be paid for by course and subscription fees.**

I can also envision the courses being taught online year-round, on a password basis after payment of a fee, and tests administered live in every parish seat at least once a year. On-line course material, and mail-order textbooks, would remove the argument that rural notaries have to travel far distances to take the classes, and would significantly reduce teaching costs as the years go by and the materials are tested. Most libraries provide free computer access, which would enable those without computers of their own to participate.

It is important to me that all Louisiana notaries be operating from the same information base. The law is the law, statewide. Having notary courses taught by varying instructors, with varying information, differing customs in each parish, is contrary to the best interests of the Louisiana citizen, in my opinion.

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited

number of new appointments? **Absolutely no limits should be imposed.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes, strenuously. For many reasons. What would be it's purpose? Must all notaries then practice "full-time" and become "full service". Who knows what level of notarial work will be required during the next 20 years, and if we limit the number, will that be enough? Scarcity drives up prices and bodes ill for free enterprise, which is our bottom line duty to protect. Setting limits will eventually lead to imposing requirements on notaries to "perform" at all times, or give up their "space", which will lead to reporting and policing and snooping and backstabbing--all unnecessary.**

We have a system at our fingertips right now which could accomplish the job of gaining a true count of notaries. All we need to do is stipulate that notaries who fail to renew their bond will be dropped from the roles and lose their commissions, and new notaries coming in can take their time developing their skills, or do nothing with it at all (which is usually the case) so long as they are bonded. I do not see how the citizenry is in any way harmed by this latter system, or how they might be benefitted by imposing limits.

Should attorneys be exempt from notary exams? **No. The notarial function is different from the attorney function. Many attorney-prepared documents that come across my desk do not meet notarial requirements.**

Additional comments:

Notaries also need to be protected. If 'limits of liability' are not properly promulgated by the State, and course material for learning those limits is not available, who is to blame? The notary? The State? If, for example, a notary notarizes a mortgage loan on a home which, it turns out later, did not include the required termite inspection, and the home turns out to have termites, new owners have begun to sue the notary, and win. Yet nowhere is the notary trained that their services imply more than verifying identity and properly witnessed documents. I'd like to see the notarial function clearly defined by the State of Louisiana, clearly venerated in writing for the value it provides,

clearly limited to that, and the notary protected when presumed by others to be responsible for more than the office was meant to do.

Especially, as a retired school teacher, I am most interested in teaching a course to high school seniors on the basic principles by which their rights are secured and the part they play in that: that their signature is their bond, that a system is in place to ensure their rights to own, use and dispose of private property and make contracts, that this system is secured by paperwork signed by them, notarized, and filed with the Clerk of Court or the Secretary of State, and when properly notarized, is backed up by the courts; that if they use the system, their rights can be protected but if they choose to live outside the system, they're pretty much on their own, etc. If "educating the citizenry to citizenship" is the public school system's responsibility, then it is the State responsibility, and this course should be mandatory, and funded by the State. I would like to assist in developing this course material, and would appreciate any advice in how to get the ball rolling, provided contact with whomever might be interested in helping me, etc. If we can get kids started on the right footing, especially psychologically appreciating "the system" provided to them just when they are about the enter adulthood, it would considerably enhance their appreciation of their political heritage, reduce adherence problems created by ignorance and lack of inspiration, and greatly enhance the notarial profession.

If I can think of anything else, I'll let you know. Thanks for the opportunity to express my opinion.

Ronda M. Gabb

St. Tammany, 1996

Attorney

Should attorneys be exempt from notary exams? **I only have time right now for a quick comment on this questions ... NO ATTORNEYS SHOULD NOT BE EXEMPT!**

As a practicing attorney (in estate planning) I have seen more invalid wills (no signature on each page and no attestation clauses) drafted by

attorneys! They do not teach you anything specific in law school regarding drafting of wills and general notarial practice. With the proper preparation there should be no reason why attorneys taking the notarial exam should not pass with flying colors because of all the other information we must commit to memory - but I think it should definitely be a mandatory requirement. And I would be willing to help lobby the point if necessary.

Thanks for listening.

Leonard Gresens

Caddo, 1996

Non-Attorney

Here are my answers to your questions. I'm in favor of having this profession a little more regulated. I know too many notaries now who have no regard for our profession and if were required to have continuing edu. would not there by eliminating them. I think that would bring a little more respect to all of us. There's too many signatures and seal applied without applying the rules.

Are you in favor of legislatively mandated continuing education for notaries? **I think it would help.**

Is a statewide commission important to you in your practice? No.

Would you support the revocation of current parish commissions in favor of a statewide commission? No.

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **I would if it was legislated, I would still want to be a notary.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? Yes.

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **I think test have become too uniform, the prep classes go over old test.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **To some**

extent, but not enough.

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No not really.**

What materials did you find most helpful in preparing for your exam? **It helped that I studied for the test, where as most in my class just went over the test.**

If you were writing the exam, on what books would you draw for developing questions? **Louisiana law books need to be addressed more, not just the study material.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **A registration number kinda like attorney's bar roll number. And would mind seeing commissions expire and renewed for a time period, like when you renew your bond.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Still think the local courts is the best.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Sec. or State or Legislature**

How should mandatory continuing education courses be qualified for accreditation? **Local associations, and even state wide.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Anyone, as long as they know what they are being tested on. I believe once more regulation is enacted, we'll see limited numbers of new appointments.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No not a bit.**

Should attorneys be exempt from notary exams? **No, that's a joke, I know more than some attorney's I know.**

Jesse Hebert

Iberia, 2001

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **No.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Leave as it is.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No.**

What materials did you find most helpful in preparing for your exam?

If you were writing the exam, on what books would you draw for developing questions? **West Civil Law statutes**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts?

Attorneys should have to take notary test

Who should administer a statewide test if it is decided to change the office from parish to state?

If the management of the notaries is removed from the courts, under whose authority should it be placed? **It should stay under courts**

How should mandatory continuing education courses be qualified for accreditation? **Through the court system**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Pass test**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes.**

Should attorneys be exempt from notary exams? **No**

Paulette P. Jackson

East Baton Rouge, 1985

Certified Legal Assistant

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **Could Be.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes, my exam was thorough and touched on many aspects of law.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **A question or two from each field or area that a notary may practice in, e.g. real estate, wills, motor vehicle transfers, affidavits, acknowledgments, etc. Most importantly, a notary should know the ethics involved in holding the office of Notary.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **I took the Notary exam in 1985, so I don't recall exactly, but it seems as if I did have one or two questions concerning the responsibilities of being a Notary. I believe, from what I see at my office, that Notaries need to know when and when not to notarize documents.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your

practice? **I don't think so.**

What materials did you find most helpful in preparing for your exam? **The Civil Code; the preparatory documents furnished by Legal Secretaries Association; and Kathy Underwood's "Cram" review before the exam.**

If you were writing the exam, on what books would you draw for developing questions? **I'm not sure; the Civil Code for sure.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Continuing education is a must; with each Legislative session, notarial laws may change. Notaries who do not keep up with the changes and who don't have access to the current Revised Statutes and other laws may inadvertently do something incorrectly.**

Who should administer a statewide test if it is decided to change the office from parish to state? **I'm not sure; maybe the test could be given in 3 or 4 large cities in the state, administered by a statewide Board of Notaries, with elected and appointed members. I don't have much confidence in some areas of the state giving the notary exams because I do know of instances where a person could not pass the test in EBR Parish and went to E. Feliciana Parish, passed the exam and opened an office in EBR Parish because of the cluster parishes.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Maybe, a Board of Notaries under the authority of the Secretary of State???** **I don't feel qualified to answer this question.**

How should mandatory continuing education courses be qualified for accreditation? **I'm not sure.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **I would think that anyone able to pass an exam that tests your knowledge and integrity should be allowed to become a Notary.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Since I am already a Notary, probably no. The Notary exam is given twice a year, if limitations are sought, maybe the**

test should not be given as often as now.

Should attorneys be exempt from notary exams? **This certainly would not make attorneys happy, but I believe attorneys should be able to pass a notary exam.**

Please furnish your comments on . . .

. . . Mandatory Continuing Education -- **I believe that continuing education could only help Notaries; I am required to have 50 hours continuing education in a 5 year period for my "Certified Legal Assistant" status. I primarily go to legal seminars for this education.**

. . . Statewide Commissions -- **I think that statewide commissions should be granted instead of cluster parishes. If you are qualified as a Notary, the laws are the same statewide.**

. . . Standardized Testing -- **Absolutely - everyone should be tested from the same number of questions and the questions should be taken from a central pool of questions.**

. . . System for monitoring and enforcement of standards. -- **Maybe from a Board of Notaries, elected and appointed, to monitor the continuing education. The Assessors have such a system in R.S. 47:1907.**

Ray Klug

East Baton Rouge, 1992

Non-Attorney

Thank you for the opportunity to provide input. I still do not use my commission very often and I really do not see or understand problems "working notaries" face every day. Any comments/observations are from the outside, looking in. I don't think the system broken, we may need to tweak the system, but it's not broken. Remember the old adage, "if it ain't broke, don't fix it."

1) Any time Louisiana's legislature or it's bureaucrats get involved you have a recipe for disaster. They will surly burn the "Notaries roux".

2) Why change the "cluster" system? I really can't see a requirement for all notaries to have a

statewide commission. Maybe there should be a test that allows a notary to practice statewide if that notary wants to practice statewide.

3) I took extra classes offered by ms. Kathy Underwood. The money spent for her class was worth the expense, much better than the class offered at LSU. She provided examples of other notaries exam from other parishes and some were just a joke. The test given in Baton Rouge was very thorough. It was also a very difficult test. The testing procedures in Baton Rouge may be a guide for other parishes in the state.

4) How do we determine the appropriate number of notaries in the state? Does this number include/exclude attorney notaries? The answer may be, take the number of notaries on 01/01/03, grandfather those notaries in to the system. Allow only a certain number from that point on. Problem, how do you address complaints of sexual or racial bias? The answer may be simple as freezing new appointments.

Tina Lae

Orleans, 1998

Certified Paralegal

Are you in favor of legislatively mandated continuing education for notaries? **Yes**

Is a statewide commission important to you in your practice? **It would be a convenience as the bank for which I work has branches all over LA. However, it is not a necessity.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes, as long as we would not have to be retested.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office?

I would make the candidate define the difference between an authentic and acknowledged act. I would ask the candidate to draft a document such as a will or an act of donation and ask additional questions regarding each. Mortgages and other real estate matters should be discussed as well as marital contracts and adoptions. I would perhaps have a question on the resources available to a notary.

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **I studied this but I do not believe it was a question on the exam.**

What materials did you find most helpful in preparing for your exam? **La Civil Code with the Revised Statutes. In addition, old copies of test questions prepared by previous students were handed out by my instructor. By answering these questions and seeing just what types of questions are asked on the test, I gained a better grasp for taking it.**

If you were writing the exam, on what books would you draw for developing questions? **LA Civil Code**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **I would no longer allow government officials to automatically become notaries or be appointed notaries without taking an exam. In addition, I would specifically address the issue of military personnel stationed in LA notarizing non-military related documents based upon the fact they are officers.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Office of the Louisiana Secretary of State.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Office of the Louisiana Secretary of State.**

How should mandatory continuing education courses be qualified for accreditation? **The same way that attorney courses are judged.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **The test should**

certainly be challenging enough to weed out those who are not qualified or marginally qualified. If anyone, passes the test, he or she should be able to become a notary regardless of the number of appointments.

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No as I assume the examining would stop as well.**

Should attorneys be exempt from notary exams? **No. Certainly at the very least, they should have CLE hours regarding notary work.**

Rita LeBlanc

St. Tammany 1995

Jefferson 1997

Non-Attorney

I'm sorry, but there isn't enough time in my day to answer all these questions !!!!!

Charles J. Licciardi

St. Bernard Parish, 1999

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **No, I would like to see CE offered, but not made mandatory.**

Is a statewide commission important to you in your practice? **It may be helpful, but I would actually opt for NO Changes overall. I think our system is far superior than any other State, so why fix it if it aint broke??? But I will provide answers/suggestions to the subsequent questions just in case things get tinkered with for no apparent reason.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **It depends upon what powers and authority we would have statewide; and I would support it only if we who have commissions already are grandfathered in and not have to be re-tested.**

If a statewide commission is legislated so that you can

qualify by taking a new exam, would you opt to qualify for the new commission? **Not particularly, I believe we should be grandfathered in.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Extremely!!!**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **In short; movable property transfers, immovable property issues, contracts, basic questions in each area of our authority, civil code knowledge and/or things relative to it.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes.**

What materials did you find most helpful in preparing for your exam? **Civil Code.**

If you were writing the exam, on what books would you draw for developing questions? **Civil Code.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **None, I prefer it the way it is, but if it changes, I think the Secretary of State Office or the Attorney General's Office; especially since they seem to be the most cooperative when someone needs assistance.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Test proctors at a state college or state technical college.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Attorney General or Secretary of State.**

How should mandatory continuing education courses be qualified for accreditation? **By content and contact hours.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Since I'm already a notary, it would be easy for me to opt for the limited number, but in fairness it would depend upon who and how that is determined. If it were a**

fair competition I could see a limited number...But I guess that would also be subject to who defines "fair."

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **I don't know how many there are presently, but if the Governor thinks it is, he would be a better judge of that than I. And what if the/a new incoming Governor thinks 10,000 or 100,000 notaries are needed, would that be ok as well?**

Should attorneys be exempt from notary exams? **No.**

Mimi E. Meibaum

St. Tammany, 2000

Orleans, 2001

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **Yes**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Yes**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Wills, real estate transactions, motor vehicle transfers**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes**

What materials did you find most helpful in preparing for your exam? **Johnson Notary Study Guide**

If you were writing the exam, on what books would you draw for developing questions? **See above**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **I have yet to have a problem with the existing system.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Sec. of State**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Sec. of State**

How should mandatory continuing education courses be qualified for accreditation?

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Passing the test**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes**

Should attorneys be exempt from notary exams? **Yes**

Joyce M. Montgomery

Livingston Parish, 1996

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **No. Notaries are already charges with keeping current on legislation that concerns Notarial law.**

Is a statewide commission important to you in your practice? **Yes. I deal with issues in the "coastal zone" and it would save time and money for me to have a commission that reached past the parish grouping that I am commissioned in.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No. I worked for my commission and do not want to give it up.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to

receive your commission gave sufficient coverage to the areas of practice you are involved in? **I took a very extensive and comprehensive exam. Less than 25% passed. I believe that I have proven my expertise and knowledge and don't wish to have to prove it again.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Definitions, true/false, essay, document preparation, property descriptions.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes.**

What materials did you find most helpful in preparing for your exam? **Black's Law dictionary, the Civil Code and the Revised Statues were my best friends for about six months!**

If you were writing the exam, on what books would you draw for developing questions? **The three listed above and recognized Notarial manuals from this state.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **I would have less ex-officio Notaries and make the requirements harder for obtaining them, not easier.**

Who should administer a statewide test if it is decided to change the office from parish to state? **The Secretary of State's office, since they are the keeper of the records it would make sense to have the records originate there also. Less filing fees, it would not be necessary to file in the Parish.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **I think it should remain with the courts, I would not want to see a "board" manage Notaries because of several issues such as conflicts of interest, favoritism, etc.**

How should mandatory continuing education courses be qualified for accreditation? **I don't have an answer exactly, but the idea that only an attorney can teach a CLE course is ludicrous. Non-attorney Notaries**

have a much better understanding of Notarial law, in my opinion of course.

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **If we don't limit the number of professional in other categories then it is discrimination to do so with Notaries.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes, see above.**

Should attorneys be exempt from notary exams? **No, they should have to prove their competence or incompetence just like anyone else practicing in a professional capacity.**

Larry J. Mouton

LaFayette, 1994.

Non-Attorney

I took the test two weeks after completing a full semester from U.L. of LaFayette (was USL at the time). I passed the test the first time. I use the Louisiana Notarial Hand book by S. Horn. The Lawyer that gave the course was very knowledgeable and a very good instructor. Not all that took the class passed the test when taken. The test was given at Mr. Gankendoff's office.

1. Continuing education if done professionally and for the soul purpose of learning should be enforced for all notaries. (Continuing education for insurance agents is a joke.) I had a license and I dropped it. The first class consisted of an instructor asking us each to introduce ourselves. Since the class was very large the whole morning consisted of introductions. No education learned. The afternoon session was the same thing. More introductions. I will not pay for this kind of foolishness. My profession as an Enrolled Agent requires me to attend 73 hours of CPE in a three year period. I pay for the courses and I learn at each seminar. No foolishness.

2. A statewide commission could be important, but I would prefer being able to notarize in all the outlining parishes of LaFayette. I could see the benefit of a statewide commission.

3. I would not support the revocation of current parish commissions in favor of a statewide commission, especially if a test is involved. Some older notaries and even some younger notaries may not be able to pass another notary test, and that would not be fair to them.

4. If a statewide commission is legislated so that I can qualify by taking a new exam if I have a choice. Can a statewide test be given and a person passes the test and is a statewide notary, or can a person decide not to take the test and stay a parish notary, and also, if the person taking the statewide test fails it does he/she have to give up their parish notary, or still keeps it?

5. I think the test gave sufficient coverage to a degree. It didn't give me anything on actual sales (Title transfers, etc). It gave questions on things that I haven's used as a notary since becoming one in 1984. The true and false questions had nothing to do with a notary. It was all general questions. The 10 essay questions out of 11 were very detailed and had to be answered with our knowledge that was known on the subjects.

6. If I were writing an exam for a notary we would not have time or space to cover the questions that I would ask because there are so many that could be covered in an exam.

7. I learned the responsibilities of a notary in the class that I took at the University.

8. I learned the crimes that could be charged in the class that I took at the University.

9. Sydney Horns Louisiana Notarial Book. It covers all the basic information that a person would cover as a notary and not as a licensed legal (Lawyer) professional.

10. I don't think anyone that passes a test should become a notary. A neighbor of mine on an adjacent street took a course in St. Martinville Parish. No test was given. He couldn't pass the test in LaFayette, but since he took the course in St. Martinville Parish some kind of way he is able to practice as a notary in LaFayette Parish. That doesn't make sense. He is not qualified.

11. I deal with laws as a Tax Accountant, but when it comes to my notary practice I don't consider myself a lawyer. I get people that ask me questions pertaining to law. The first thing I tell

them is that I am a notary and my duties are limited. I cannot practice law. I can practice Tax Law as an accountant because I have the credentials. I take being a notary very serious. I will not do anything that I think is not legal, or close to being not legal.

12. The Clerk of Courts office should administer a statewide test in each parish.

13. Again it should be the Clerk of Courts office to monitor notaries.

14. Continuing education courses should be monitored and decided upon by a board from the Louisiana Notary Association to which every member must belong by law and pay fair dues. I belong to your Notary Association. It is helpful with the news letters. An education committee could be formed. This committee would decide on the test questions. Have a Statewide test and a judicial wide test.

15. I think attorneys should be exempt from exams providing they are required to continue education, which I think that is a requirement. Law school should teach them everything that is needed to become a notary, but sometimes simple sales transfers can be tricky.

16. That is it for right now. Hope that I was helpful?

Sandra S. "Sandy" Noel

Lafayette, 1983

Non-Attorney

The questions below with "?" I do not feel I know enough to have an opinion on.

Are you in favor of legislatively mandated continuing education for notaries? **No.**

Is a statewide commission important to you in your practice? **No.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Maybe.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **?**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **? Don't remember.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No.**

What materials did you find most helpful in preparing for your exam? **Took class at USL.**

If you were writing the exam, on what books would you draw for developing questions? **?**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **?**

Who should administer a statewide test if it is decided to change the office from parish to state? **?**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **?**

How should mandatory continuing education courses be qualified for accreditation? **?**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **?**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No.**

Should attorneys be exempt from notary exams? **No.**

Kelly S. Paliaro

Orleans, 1999

Non-Attorney

1. Are you in favor of legislatively mandated continuing education for notaries? **Yes, I am in favor of legislatively mandated continuing education. I**

believe that a Notary's practice varies widely, both individually and from parish to parish. It is presently the responsibility of each notary to keep himself updated on the new changes. This is not to the benefit of the public, which we serve.

2. Is a statewide commission important to you in your practice? **Yes, a statewide commission is very important to my practice. I frequently ask my clients come to my location, because I am unable to accommodate them in their parish. This is the case for a number of parishes which are close in proximity to my location and commission. This is not a good basis for retention of clients or generation of new business.**

3. Would you support the revocation of current parish commissions in favor of a statewide commission? **Although I am in favor of a statewide commission, I am not in favor of the revocation of current parish commissions. I would support an "upgrade" in the current commission by testing or even to "grandfather" those currently commissioned. I do not believe that revoking parish commissions is fair to those who are presently practicing. These notaries have already met the requirements to earn their commissions.**

4. If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **I would opt to qualify for a new statewide commission by taking an exam if it were required. But, I do not believe that this is the correct approach. I have already taken time from my family to study, paid for classes and books, met parish requirements, past my test and paid for my bond. I am presently a working Notary Public. To revoke parish commissions and require retesting for statewide commissions, will cost many notaries their jobs, standings and income. The ability to keep current parish commissions and test for an upgrade to a statewide commission seems like a better solution.**

5. In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **The exam that I took to receive my commission sufficiently covered the basics for the areas of practice that I am presently involved.**

6. If you were writing an exam for notaries, what things would you include to properly determine if a

candidate is prepared to responsibly execute the duties of his office? **If I were to write an exam for notaries, to properly determine if a candidate is prepared to responsibly execute the duties of his office, I would include the basics of all of the duties of the notary. The test would have a strong emphasis on those duties which are most commonly practiced by notaries today and would include form requirements and procedures. I believe there is a strong need prior to testing. There should be required classes or courses designed to instruct the notary of his duties/powers. This would bring some uniformity to the practice. Although the course should prepare an applicant for the test, it should also prepare them for the practice of being a Notary. Many classes currently available are given by Attorney-Notaries who were not required to pass a notary exam for their commission. This does not give new applicants the foundation they will need to pass the notary exam.**

7. Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes, I was examined on the role and responsibilities of the notary in his capacity as public official.**

8. Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **The test that I took did not cover crimes that a notary can be charged with for failure to follow laws relating to practice but it did cover some of the penalties of not following specific requirements.**

9. What materials did you find most helpful in preparing for your exam? **The materials I found most helpful in preparing for my exam were the Civil Code book, Black's law dictionary and some sample forms.**

10. If you were writing the exam, on what books would you draw for developing questions? **If I were to write an exam, I would use the Civil Code book and Black's law dictionary to develop questions.**

11. What kind of governance, regulation, policing, etc., would you install to regulate notaries if you could change the current system of regulation by the courts? **If I could change the current system of regulation by the courts, I would start with the statewide uniform test, commission and fair grading practices. If all notaries have to adhere to the same standards, the level of public confidence will grow. I would have**

governing body on the statewide level to track notary compliance with continuing education as well as bonding issues and complaints, etc. The statewide tests could be given twice per year in metropolitan areas or the larger cities.

12. Who should administer a statewide test if it is decided to change the office from parish to state? **If it were decided to change the office from parish to state, the statewide test should be administered by the state. A new governing body should be established to administer the test.**

13. If the management of the notaries is removed from the courts, under whose authority should it be placed? **If the management of notaries is removed from the courts, it should be place under the authority of the Secretary of State's Office, creating a department or board as a new governing body for Notaries.**

14. How should mandatory continuing education courses be qualified for accreditation? **For mandatory continuing education courses to qualify for accreditation, it should require the course to cover aspects of new changes affecting the Notary practice. The course outline should be presented to the new governing body for consideration. The courses should be given by someone who is a practicing Notary, who has met established guidelines set by the new governing body.**

15. Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **A person who passes a notary exam should be commissioned as a notary. If there were too many new notaries, I would understand a competition for a limited number of new appointments, but I could not support such an action.**

16. If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **If the governor decided that 30,000 notaries were enough and decided to not issue commissions for a while, I would object. Louisiana notary commissions are issued for life. If there were currently 30,000 notaries, it could be years before commissions would be issued again. The new commission would be issued upon a notary's death. This is not to the benefit of the public. A statewide commission does not mean that the notaries will be equally spread**

throughout the state.

17. Should attorneys be exempt from notary exams? **I agree with attorneys being exempt from the notary exam because being an attorney encompasses the practices of a notary. An attorney has already been tested and must meet continuing education requirements for his practice. I do believe that an attorney should learn more about the powers of the commission that they have been given. I do not agree that attorneys deserve a statewide commission, while the notaries who have studied specifically to become a notary are not granted this opportunity.**

My comments on:

Mandatory Continuing Education: **I am for mandatory continuing education. I believe this is the best way to get the information to the Notaries. This also provides the public with the confidence that notaries are being kept informed of changes regularly.**

Statewide commissions: **I believe that all notary commissions should be statewide. This commission is presently given to attorneys who were not required to take a test to show even a basic knowledge of the requirements and powers of being a notary. I have passed a notary exam and received my commission. I had the desire to receive this commission and to practice in this state. My commission should not be dependent upon the parish in which I am working or residing. It should be dependent upon the public's needs for notary services. People live in more condensed and outlying areas and travel is much more common, making what once seemed a far away parish next door.**

Standardized Testing: **I am 100% for a standardized test. Testing, which has been left up to the parishes, is different in every parish. It has created different standards for notaries in each parish. Those parishes with reciprocal parishes that administer easier tests, create an unfair advantage in those reciprocal parishes. The notaries are given the same powers in each reciprocal parish, including the parishes with the hardest tests.**

System for monitoring and enforcement of standards: **I believe that a state governing body should be formed. That a statewide uniform test should be administered and that there should be**

requirements for prior course study as well as continuing education. This governing body should track commissions, testing, compliance, complaints, etc. I do believe that whatever governing body is established, it should include at least one non-attorney notary who actually took and passed the test to receive their commission.

Jerry F. Pepper

Orleans, 1985

East Baton Rouge, 1999

Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes, absolutely and unconditionally.**

Is a statewide commission important to you in your practice? **N/A.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **N/A.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **N/A.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **N/A.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office?

Were you examined on the role and responsibilities of the notary in his capacity as public official? **N/A.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **N/A.**

What materials did you find most helpful in preparing for your exam? **N/A.**

If you were writing the exam, on what books would you draw for developing questions? **Civil Code, Code of Civil Procedure, Revised Statutes and case law.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts?

Who should administer a statewide test if it is decided to change the office from parish to state? **See response below.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **An independent state commission or board, to be called the Louisiana Notarial Commission or board.**

How should mandatory continuing education courses be qualified for accreditation? **Along the same lines used by the Louisiana State Bar Association.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Admission of notaries should be identical to the means employed by the LSBA in determining how many lawyers should be admitted to the bar in any given year.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes, because I don't know that the Governor has enough information on hand to make such a determination.**

Should attorneys be exempt from notary exams? **Yes and no. Attorneys who take and pass certain law school courses should be exempted from taking any test. However, attorneys who have NOT taken the required courses in law school SHOULD be REQUIRED to take such a test and ALL attorneys should be required to take a minimum of 3 - 5 hours of Continuing Notarial Education (CNE) courses per year; subject to certain exemptions and equivalencies used by the LSBA for attorneys who teach or write in an area of appropriate interest to notaries.**

Novie L. Rea

Jefferson, 1999

Non-attorney

I am in favor the mandatory continuing education for notaries. I feel it is important to stay current in your field. This will support and ensure that all notaries stay abreast of changes in the laws.

A statewide commission would be helpful in my career. I am employed in the legal field and utilize

my notary powers daily. We have three offices, since I am commissioned in Jefferson Parish I am unable to use my notary for our Baton Rouge and Covington office. I would not like to take a "new" exam for the statewide commission. I feel that notaries with current commissions should be "grandfathered" or be mandated to take "x" number of CLE hours to be able to have the statewide ability.

I also am in favor of standardizing the testing throughout the state. I feel that it is a difficult test but that you study differently depending on what parish you are going to take the test in. This shouldn't be the case. For instance, in Orleans Parish the test consists of writing and composing Wills and Successions, the Jefferson Parish test had short essay questions, mostly concerning changes in the Civil Code that took place the year I took the exam. Seems very inordinate since these two Parishes are reciprocal parishes. I think the testing should be standardized and run by a board for the entire state.

If I were writing the exam for notaries, I would include a section on Ethics. Since I am employed in the legal field I am quite aware of implications of mishandling or misleading people. I do not think that the course or the exam had any information regarding Ethics and standards. This is part of everyday work for a Notary to be entrusted with. We have a lot of power in this capacity and I'm not so sure that other Notaries understand the Ethics. We were not examined on crimes with which you can be charged. We were not examined on the roles and responsibilities of the notary as a public official.

The materials I found most helpful were previous test questions. I was able to assemble previous test questions from the course I took, friends and networking. I then had to research the answers which forced me to study harder. We also obtained (off of the internet I think) a dictionary of legal terms which was very helpful to study.

Our class concentrated on the Civil Code and the Johnson's Notary Handbook.

I do not think that attorneys should be exempt from the exam. I work with many attorneys and they were amazed at the questions I was researching to pass the exam. In addition, many

attorneys told me that I possess more knowledge in the legal field in preparing for the exam than they did when they took the bar.

CLE would be the answer for the Continuing Education Courses.

I would also like to subscribe to the Louisiana Notary Newsletter.

Patricia Reardon

Orleans Parish, 1992

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **No.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Drafting of Sales, Mortgages, Releases, Affidavits, Wills, Mandates; how to account for the proceeds of a sale; scenarios on capacity, community property.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes.**

What materials did you find most helpful in preparing for your exam? **La. Civil Code, Johnson's Notarial Guide, notes from notary prep class.**

If you were writing the exam, on what books would you draw for developing questions? **La. Civil Code, Johnson's.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **The current system is OK.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Secretary of State**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Secretary of State**

How should mandatory continuing education courses be qualified for accreditation? **In a manner similar to that used for attorneys.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Anyone who passes should be able to get a commission**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No.**

Should attorneys be exempt from notary exams? **Yes.**

Please furnish your comments on . . .

. . . Mandatory Continuing Education– **In favor.**

. . . Statewide Commissions– **Current system satisfactory for me.**

. . . Standardized Testing– **Against.**

. . . System for monitoring and enforcement of standards– **Is there not one in place already? If not, why not look at the methods in place for other professions, such as attorneys and CPAs?**

Jeanne Roane

Iberia, 2000

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **No, we use our notary skills all the time and keep abreast of changes in law.**

Is a statewide commission important to you in your practice? **Yes, I would like to see a statewide**

commission...we shouldn't separate into parishes..It's too limiting.

Would you support the revocation of current parish commissions in favor of a statewide commission? Yes.

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No, don't think we need another exam..I just got my commission about 2 yrs ago and the course and exam was VERY comprehensive and difficult. We should be Grandfathered in. Anyone new, should take the statewide test.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes, very much so.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **The one I took in Iberia Parish 2 yrs ago covered everything.**

Were you examined on the role and responsibilities of the notary in his capacity as a public official?

Yes.

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice?

What materials did you find most helpful in preparing for your exam? **The book/materials given to us by instructor Mr. DeKeyzer were more than adequate.**

If you were writing the exam, on what books would you draw for developing questions?

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Its fine the way it is..If you get it too complicated it will cost money. We'll need 'police' to monitor and all kinds of 'extra' people that need to be paid, then you'll need a board to police them.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Local parishes.**

If the management of the notaries is removed from the courts, under whose authority should it be placed?

Its fine the way it is...let the govt officials do it, they're getting paid with our taxes, let them earn it.

How should mandatory continuing education courses be qualified for accreditation? **We don't need anything more than what we have now. If I don't know something, I ask the person that knows and that's it...Courses are time consuming, expensive and inconvenient.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **If they can pass the test, let them be a notary! Are there limits on doctors, lawyers, nurses? No. So why are you all trying to make this so complicated? There are many notaries in the past that didn't have to take test, etc., but eventually they'll "expire." The new ones, like me, had to take a course and pass a very difficult test. Once the state test is in place, it will "weed through" the incompetents, etc..**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Trivial.**

Should attorneys be exempt from notary exams? **Yes, they've taken enough tests.**

Geraldine A. Spears

Calcasieu, 1989

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **No.**

Is a statewide commission important to you in your practice? **No - I think commissions should be left as it is by parishes.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No - I feel that the notary test we took should be sufficient.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes, more than**

enough.

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office?

Louisiana Notary Tests at least the one in Calcasieu Parish had everything you needed on it. Personally, I think that there are some things that only attorneys should do such as property and home transactions, wills and trusts. There are attorneys who specialize in each of these areas. I, as a Notary Public, will not do these.

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes - it was emphasized.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes - it was emphasized.**

What materials did you find most helpful in preparing for your exam? **I took a 12-week class taught by attorneys and notaries along with studying from the following books in the next question.**

If you were writing the exam, on what books would you draw for developing questions? **Louisiana Notarial Handbook and Study Guide by Sid Horn and Woodward's Notarial Manual which I have and receive yearly updates.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Notify all notaries of changes in state laws and forms. LNA members are fortunate to be able to keep up with changes in many of these areas - maybe see that notary publics become members of an organization such as this to be able to keep up-to-date and get regular updates of any changes in state laws and forms.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Some one from the State - there is anything wrong to my knowledge of the way testing is handled now.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Someone knowledgeable of Louisiana state laws.**

How should mandatory continuing education courses be qualified for accreditation? **Some appropriate knowledgeable person of state laws such as**

attorneys, LNA members, etc. I don't think mandatory continuing education is necessary if a notary tries to keep up with changes in laws, subscribes to organizations and books that keep them up-to-date.

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Yes - it is a very complex test and if anyone can pass the test they should be allowed to be a notary. There should be no competition for a limited number of new appointments.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No.**

Should attorneys be exempt from notary exams? **Definitely YES - that is what they go to college and law school for all those years.**

Deborah D. Suane

Orleans, 1996

St Tammany 1999

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **I am in the banking industry, we have branches statewide, it would be convenient and helpful.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **Yes, as long as retesting in not required.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Mortgage and real estate issues; document**

drafting such as marital contracts, wills; appearance drafts; defining authentic act and acknowledged act; defining and setting up corporations, LLC, LLP, etc.; auto title transfers; successions

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **That was not a question on the exam but it was discussed in the prep class.**

What materials did you find most helpful in preparing for your exam? **La Civil Code and Johnson's Notary Study Guide book**

If you were writing the exam, on what books would you draw for developing questions? **La Civil Code**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts?

Commissions would not be given out or appointed because you hold a certain position or office. Everyone would be examined.

Who should administer a statewide test if it is decided to change the office from parish to state? **Office of the Secretary of State**

If the management of the notaries is removed from the courts, under whose authority should it be Placed? **Office of the Secretary of State**

How should mandatory continuing education courses be qualified for accreditation? **In the same manner as the attorney courses**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **I don't think the appointment should be limited and I feel if you pass the test you should be able to become a notary regardless of the number of appointments.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No.**

Should attorneys be exempt from notary exams? **No.**

Kathleen Talmadge

East Baton Rouge, 1997

Non-Attorney

Every time I think about responding to the survey I get discouraged. To me, this whole process is the beginning of the end of the Civil Law notary as we know it. Of course we should have standardized tests within the state and of course we should have continuing education. The problem devolves to WHO, WHAT, WHERE and WHEN. The funding will not come from the legislature, it will be gathered from the backs of the notaries. Perhaps we shouldn't have part-time notaries. Perhaps we should ask some people in the state to drive fifty miles and pay an attorney fifty dollars for a notarial function. I don't agree with that but it seems to be the direction we are heading in.

Dorothy E. Timberlake

Tangipahoa, 1997

Non-Attorney

- 1) Yes, I am in favor of legislatively mandated continuing education for notaries.**
- 2) A statewide commission would be convenient.**
- 3) I would not presently opt to qualify for a new state-wide commission if another exam would be required.**
- 4) Exam taken was general to cover various areas of notarial practice but should include repercussions of illegal/irresponsible actions.**
- 5) I would change the language used to include females as notaries and drop this "good ol' boy" attitude. A candidate cannot be prepared to responsibly execute the duties of HIS office if she is a female. A candidate cannot be prepared to responsibly execute the duties of HER/HIS office without proper respect and consideration given to both sexes.**
- 6) I was not examined on the crimes with which I can be charged for failing to follow laws related to notarial practice.**

7) Most helpful for preparation for my exam was SLU's notarial course and Sidney's notary guide.

8) If I were writing the exam my questions would be developed from answer #7.

9) If regulation by the courts IS working, don't fix something that's not broke. If it is not working, let's work to fix it. Louisiana courts are political enough, but a female notary wouldn't stand a chance before a regulatory panel consisting of all the "good ol' boys" that are so very prevalent today.

10) No current opinion on who should administer a statewide test.

11) If management of notaries is removed from the courts... See answer to #9.

12) Mandatory continuing education courses should be qualified for accreditation through a notarial board.

13) Yes, anyone who can pass that test should be able to be a notary. Why should we be so afraid of competition? To me, to bar someone from practicing after they've passed the test is an open expression of fear and greed--a fear that someone may surpass them in expertise and greed that someone may be getting money they could have. YUK! Aren't we of better caliber than that???

14) Why would the governor set a limit to the number of notaries. Is the number of lawyers limited? How about doctors, psychiatrists, and counselors?

15) I do not think that attorneys are exempt from notary exams. This educational qualification is covered by the bar exam.

Martin D. Wade

Lafourche, 1982

Jefferson, 1986

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes**

Is a statewide commission important to you in your practice? **Yes**

Would you support the revocation of current parish commissions in favor of a statewide commission? **NO, lets just make all commissions statewide and eliminate the confusion over the controversy of which Parish a Notary may act in. It would not be fair to revoke commissions that have been granted before the date of any adopted legislation since the Attorneys received statewide and did not have their commissions revoked.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Why try to make everyone re-qualify? This would cause confusion and resentment. How would we tell the difference between de jure and de facto notaries during the transition.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **YES, it covered the basics and was in depth. However, it is rumored some Notaries didn't take a hard test but this would be rectified by continuing education and the passage of time working these notaries out of the system.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office?

1. Real Estate Terms and Conditions.
2. Bond and E & O Insurance
3. Movable Law
 - A. Motor Vehicles
 - B. USCG Boat Registry
 - C. Motor Boat (WLF) registry
 - D. UCC LAW
4. Special Acts:
 - A. Pre-nuptial
 - B. WILLS and TESTAMENTS
 - C. Incorp and LLCx
 - D. Trusts
 - E. Affidavits and Oaths

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes and no, the bond and the appointment were covered.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Perjury was covered but there isn't a lot of specific criminal laws on the books covering**

notaries public.

What materials did you find most helpful in preparing for your exam? **I used the Woodward's Notarial Manual.**

If you were writing the exam, on what books would you draw for developing questions? **HORN'S & A Basic Louisiana Notary Guide.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **In addition to the Courts, I would propose the following:**

1. Secretary of State should be allowed to remove a Notary for:

- A. No current address**
- B. Bond not current**
- C. Conviction of a Felony**
- D. Incompetence (allow the Secretary of State to administer their own test if they have any doubts as to the qualifications or understanding of the Notary)**
- E. Incapacity of the Notary (If medical conditions render the Notary incapable of performing their duties and this would have to be verified by a hearing)**

2. The Secretary of Public Safety & Corrections should be allowed remove a Notary For:

- A. Failing to remit monies entrusted to Notary for Motor Vehicle Licensing or Tax.**

3. We need to codify the following into the Notarial Criminal Statues:

- A. Failure to record instruments which are required to be recorded.**
- B. Failure to notify the Clerk of Court/Secretary of State about address changes.**
- C. Acting without proper bond in place.**
- D. Impersonating a Notary.**
- E. Forgery on a Notarial Instrument.**
 - 1. By the Notary.**
 - 2. By the public.**
- F. Not requiring the necessary appearance by the parties.**
- G. Refusal to carry out Notarial Duties, refusing to Perform Notarial duties when requested except for a lack of payment.**
- H. Conflicts of Interest.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Secretary of state or the State Bar Association.**

Exam could be administered by the Testing method used by the Real Estate Commission with real time testing by centralized folks. If the management of the notaries is removed from the courts, under whose authority should it be placed? See above, the Court should have concurrent jurisdiction on this matter but ALJ (Administrative Law Judges) for the Secretary of State should oversee this item of justice.

How should mandatory continuing education courses be qualified for accreditation? **We should have a 3 to 4 hour mandatory Cont Ed covering Notary Law basics for those renewing their bond.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Let anyone with good reputation, no criminal record and able to pass the test obtain a commission. A limited Number of Commissions will encourage unsavory competition and people trying to get commissions by political favor.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes.**

I would object since this would encourage political wrangling to get an open Notary Commission. This the last thing Louisiana needs.

Should attorneys be exempt from notary exams? **No.**

Please furnish your comments on . . .

. . . Mandatory Continuing Education– **Yes, 3 to 4 Hrs each renewal period of 5 yrs.**

. . . Statewide Commissions– **Yes, it would simplify things about who could act where and when.**

. . . Standardized Testing– **It works for Real Estate testing. Let's use the same system.**

. . . System for monitoring and enforcement of standards. **Do we install a Notary Police? No.**

Karen Wildenfels

St. Charles Parish, 1999

Paralegal

Are you in favor of legislatively mandated continuing education for notaries? **Yes, I am in favor of continuing education for notaries. I feel it would give us credibility and convey that we are serious about our profession. It would also weed out those who do not take their commission seriously. Let's face it, notaries, like any other profession, have those who don't take their commission seriously and give the rest of us a bad name. I am all for it.**

Is a statewide commission important to you in your practice? **Yes, it is. I work in a law firm that is not in the parish where I have my commission. Since I have had my commission for a short period of time – less than five years – I can't get a dual commission in the parish where I work. Even though I work in a mid-size law firm, try finding a notary when you need one. It would make it great if I could use my commission statewide.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No, I would not want to see my commission, that I worked so hard to get, revoked just because some bureaucrats decided that we need to give something up just to have a larger practice. Notaries know more about their work than most attorneys know about notarial work, and lawyers can practice their notarial powers anywhere in the state and – probably – make mistakes. I think most notaries are more conscientious about their practice and take more pride in it. So, no I would not be willing to give up my commission. I feel that those who have their commission now should be “grandfathered” into the system. I would even be in favor of additional, required continuing education for the first couple of years with mandatory credits that must be obtained to keep their commission. But to have to give it up and work for it all over again, its ridiculous.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **To keep my commission, yes, I would take another exam, however, see my response to the previous**

question for my true feelings.

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes, I do.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **I don't have enough space or time at this point to give a complete answer to this questions, however, I feel that if you put in several questions/situational problems from every aspect of a notaries potential practice (every situation in which a notary can perform some sort of transaction) and put that into an exam, that would tell you if he/she is qualified to handle everything that may come his/her way.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **No.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **Yes.**

What materials did you find most helpful in preparing for your exam? **I took a semester course at Delgado in New Orleans. I also bought several additional study guides to help me and I studied from them all.**

If you were writing the exam, on what books would you draw for developing questions? **A Basic Louisiana Notary Guide. I found this to be in-depth and had the most information including the law that a notary needs to know in order to understand the transaction (even though we cannot practice law, it helps to understand it.)**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Probably one like the lawyers have. Whether it is through the Secretary of State or through a board appointed by the Governor. I think there should be a data base wherein all commissioned notaries would be listed with their continuing education credits and whether or not they were current with them and if there were any grievances with them. I feel that notaries should be held responsible for their malpractice. Notarial work is not always cut and dry. On occasion it is left up to the individual to make a judgment call what he can perform and what he can't. If he/she makes a judgment call and it**

turns out to his detriment, I feel that a board should determine if that is what another reasonable notary would have done. The grievances or malpractices would be kept in the same data base so if someone was looking for a notary, their record would be in one place and accessible.

Who should administer a statewide test if it is decided to change the office from parish to state? **The same "board" that is referred to above should be the ones to administer the testing. The board should consist of non-attorney notaries, attorney notaries who practice that particular type of law.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **The same board that is referred to earlier, however, the board would have a higher power that they answer to and this might need to be a judge or judge-like person(s).**

How should mandatory continuing education courses be qualified for accreditation? **It should be categorized by topic of transaction – authentic acts, vehicle transfers, ethics, etc. A certain number of these credits should be required on an every year or two-year basis.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **I don't think there should be a limit on the number of notary opportunities. There is no maximum number of doctors, lawyers, etc. Why should there be a limit on notarial commissions. Everyone should have to hustle to get work, just like any other profession.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **See my answer above.**

Should attorneys be exempt from notary exams? **No.**

Please furnish your comments on . . .

. . . Mandatory Continuing Education– **As stated above, I am all for continuing education. I think that it should be on an every two-year basis. It gives credibility to our profession.**

. . . Statewide Commissions– **Having a commission that can only be practiced in the parish is really kind of ridiculous. You can perform a certain function in one place, but not a block away. When**

you think about it, it really does not make sense.

. . . Standardized Testing– **I agree with standardized testing, however, I feel that those who already have their commission should be grandfathered into the system. But that does not mean they should not be kept out of the mandatory continuing education.**

. . . System for monitoring and enforcement of standards– **See my answer above. I feel that there should be a "Board" established and I feel that the members should be elected. I also feel that there should be a judge or judge-like authority that this "Board" has to answer to.**

Patricia R. Wilson

Bienville Parish, 1999

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **No.**

Is a statewide commission important to you in your practice? **No.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **No.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Yes.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **Land, Motor Vehicles, Wills, Successions, Donations, Mandates.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No.**

What materials did you find most helpful in preparing for your exam? **Judge Harmon Drew handbook,**

Woodward's Notarial book, Title 35.

If you were writing the exam, on what books would you draw for developing questions? **Judge Harmon Drew handbook, Woodward's Notarial book, Title 35.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Uniform Testing.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Secretary of State.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Secretary of State.**

How should mandatory continuing education courses be qualified for accreditation? **They should be held in Vo Tech or Community Colleges.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Yes, by passing the test you should be a notary.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **No. There are a lot of notaries in our parish who are dead or who are 80 or 90 years old.**

Should attorneys be exempt from notary exams? **Yes.**

Scott G. Yarnell

Iberia Parish, 1997

Just graduated law school.

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **Yes.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No (keep the current parish commissions with statewide as an option for notaries).**

In retrospect, do you believe the exam you took to

receive your commission gave sufficient coverage to the areas of practice you are involved in? **No.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is prepared to responsibly execute the duties of his office? **1) Maintaining records of transactions; 2) Last will and testament. (This is important in my view because many people in Louisiana cannot afford to hire an attorney to draft a last will and testament. This would help people have the ability to obtain a testament.) 3) How to keep current on changes in the law which affect what notaries will be confronted with in their practice; and 4) The importance of knowing that a notary is a public official and what role they play in our legal system.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **No**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No**

What materials did you find most helpful in preparing for your exam? **Do not remember**

If you were writing the exam, on what books would you draw for developing questions? **Title 35; Public Records Law; Civil Code on Sales and Donations.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Create an oversight commission in the secretary of state's office to govern, regulate, and police notaries. The sec of state already has a system in place for issuing the commissions and this would allow a central place where people could come for information and complaints.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Secretary of State's Office.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Secretary of state, but with a commission comprised of persons appointed by the governor, sec of state, president of LNA, and a notary elected from each of the supreme court districts by notaries.**

How should mandatory continuing education courses be qualified for accreditation? **Much like the louisiana**

state bar association has their CLE designed.

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Anyone who can pass an exam that is the same for all notaries statewide and post the bond.**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Yes.**

Should attorneys be exempt from notary exams? **Yes. (3 years of law school and passing the bar examination should be enough to qualify the attorney as a notary.)**

Suggestion: Terminate the commissions and no longer issue commissions for notaries who do not have a regular commission (I do not remember the name, but it is the notaries who are commission for a department of the state or political subdivision.)

Judy M. Young

East Baton Rouge, 1988

Non-Attorney

Are you in favor of legislatively mandated continuing education for notaries? **Yes.**

Is a statewide commission important to you in your practice? **Somewhat.**

Would you support the revocation of current parish commissions in favor of a statewide commission? **No.**

If a statewide commission is legislated so that you can qualify by taking a new exam, would you opt to qualify for the new commission? **Yes.**

In retrospect, do you believe the exam you took to receive your commission gave sufficient coverage to the areas of practice you are involved in? **Absolutely.**

If you were writing an exam for notaries, what things would you include to properly determine if a candidate is

prepared to responsibly execute the duties of his office? **Recommendation letter from his educator and at least one notary.**

Were you examined on the role and responsibilities of the notary in his capacity as public official? **Yes.**

Were you examined on the crimes with which you can be charged for failure to follow laws related to your practice? **No.**

What materials did you find most helpful in preparing for your exam? **Johnsons Notarial Books, Classes.**

If you were writing the exam, on what books would you draw for developing questions? **Civil Code, LNA New Notary Kit.**

What kind of governance, regulation, policing, etc. would you install to regulate notaries if you could change the current system of regulation by the courts? **Regular Cont. Educ. thru state approved schools and LNA.**

Who should administer a statewide test if it is decided to change the office from parish to state? **Same Parish commissioners for time being, with a special study board to determine its success.**

If the management of the notaries is removed from the courts, under whose authority should it be placed? **Unsure.**

How should mandatory continuing education courses be qualified for accreditation? **Special accreditation board appointed by governor & courts.**

Should anyone who can pass a given test be able to be a notary or should there be competition for a limited number of new appointments? **Not competition. We want camaraderie among notaries. Notaries who pass a test in an area where there are open slots are [commissioned].**

If the governor decided that 30,000 notaries was enough, would you object to there being no more commissions issued for a while? **Number of notaries should be dictated by population in area.**

Should attorneys be exempt from notary exams? **No.**

Louisiana Notary HCR 81 Questionnaire

Name: Alice S. ALLAIN Parish of Commission: IBERIA

Attorney Non-attorney Commissioned since 1977 Practice Full time Part time *in conjunction with full time business 20% of income from Notary Services.*

Employment/Position/Occupation: Real Estate Broker/owner

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No *Requalify for what? I will never be an atty, but thought I was qualified to act as official of m Parish. If I'm not performing properly, continue*

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No *Could only enhance my skills, but I feel it could be accomplished by "distance learning" on line by computer with proof of acquisition and post testing.*

Please write to us and share your opinions on the issues being studied by the HCR81 Study Committee.

- Statewide Jurisdiction opposed
- Standardized Testing FOR
- Mandatory Continuing Education FOR
- System for Monitoring and Enforcement of Standards opposed
- Professional Governance and Regulation opposed

* Include Provision to bring incumbent Notaries up to par and NOT LOOSE their commissions
What should be changed? What should be left alone? How should CE and examination programs be implemented and managed? Please write to us. We want to hear from you. Mail your questionnaire and opinions to us, or fax to 225-388-9661.

Alice S. Allain
4.29.02

Enjoy a Great Louisiana Springtime

Iberia Parish La.

* Important if fees are considered, to keep them LOW!

Louisiana Notary HCR 81 Questionnaire

Name: MARY LEE AYCOCK Parish of Commission: EAST BATON ROUGE

Attorney Non-attorney Commissioned since 1979 Practice Full time Part time

Employment/Position/Occupation: SELF-EMPLOYED

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

2555 N. Magnolia Drive
Baker, LA 70714
April 29, 2002

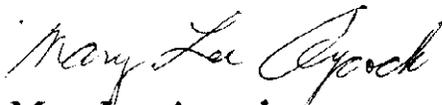
C. Alan Jennings
Louisiana Notary
P O Box 4206
Baton Rouge, LA 70821-4206

Dear Alan:

I am very interested in the HCR81 Study Committee and appreciate getting the report. I think the examination should be standardized and continuing education should be mandatory. We have too many "appointed" notaries who have no business doing notarial work outside of their offices. I know trial attorneys who have no desire to do a motor vehicle transfer and wouldn't know how to do one if asked. I would also hate to lose my lifetime commission. It was too hard to get.

There are many issues that need to be studied. Let's do a thorough job and leave the politicians out of it. I would hate to see a board created for oversight if the members were not notaries. We are professionals and should be treated accordingly; however, we must act in a professional manner, i.e., commitment to our clients, performing our duties in an ethical manner, continuing education, etc..

Sincerely,


Mary Lee Aycock

Louisiana Notary HCR 81 Questionnaire

Name: JAN BANCROFT Parish of Commission: Orleans

Attorney ___ Non-attorney ___ Commissioned since 2000 Practice Full time ___ Part time X

Employment/Position/Occupation: Insurance Industry

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No ___

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No ___

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No ___

May 7, 2002

Numbering Commissions would facilitate tracking of notaries. Continuing Education (CE), Levels/Types of Commissions, and Bonds could be tracked to determine if a Notary is in Good Standing, as well as using the Notarial Commission number to track Acts, etc as passed by the Notary.

Considering the amount of authority and impact that we hold as Lifetime Notaries, it is reckless that we do not have a minimal CE requirement to ensure that we are current on the laws of our State (10 credit hours a decade, etc.).

Furthermore, Fully Commissioned Notaries should be allowed to practice Statewide and Single-Parish Commissions should be limited to Non-commissioned Notaries (i.e. Clerk of Court) who execute their duties as a function of their job, but were not examined on their knowledge of the law/responsibilities of being a Notary. The Orleans Commissioning Exam that I took did not ask questions about Parish Rules, but on State laws. Furthermore, on the Orleans exam (as in Life) I needed to know how to file Acts in surrounding Parishes. It is old fashioned and shortsighted to expect a person to conduct all of their affairs in an immediate geographic area.

Janet E Fortin Bancroft

Louisiana Notary HCR 81 Questionnaire

Name: Brozena D. Barker Parish of Commission: Lafourche

Attorney Non-attorney Commissioned since 1990 Practice Full time Part time

Employment/Position/Occupation: Self-Employed

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

Please write to us and share your opinions on the issues being studied by the HCR81 Study Committee:

in my opinion " **Statewide Jurisdiction is not advisable** "

" **Standardized Testing** "

This may be good for **Mandatory Continuing Education** some notaries

This would be **System for Monitoring and Enforcement of Standards** costly for the state
Professional Governance and Regulation

Louisiana Notary HCR 81 Questionnaire

Name: Margaret J. Black Parish of Commission: Caddo

Attorney Non-attorney Commissioned since 1984 Practice Full time Part time

Employment/Position/Occupation: Right-of-Way Agent / Southwestern Electric Power Co.

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

* Internet or correspondence only - Classroom is unnecessary -

- Reduce power and phase in commissions that expire.
- Laws that affect our work should be sent to us - why

FAX

Date May 23, 2002

Number of pages including cover sheet 2

TO: Louisiana Notary HCR 81
Questionnaire

FROM: David Brooks
Slemco

Phone

Fax Phone

CC:

REMARKS: Urgent For your review Reply ASAP Please Comment

Dear Sir: I would like to go the record that I agreed with Ms. Therese C. Boudreaux of Bourg. I have held a Notary Commission for most of my working life for the sole benefit of my employer. The notary work that I do on a part time basis is to notarized signatures on documents that the State requires. It is my opinion that there are a large number of Notary's like myself. I would be opposed to any legislation that would put and undue burden on my Employer or myself. Thank you.

Louisiana Notary HCR 81 Questionnaire

Name: James S. Brooks Parish of Commission: St. Landry & Lafayette

Attorney ___ Non-attorney Commissioned since 1974(?) Practice Full time ___ Part time

Employment/Position/Occupation: Slemco- Risk Manager

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No ___

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No

Louisiana Notary HCR 81 Questionnaire

Name: JON BURROUGHS Parish of Commission: JEFFERSON

Attorney Non-attorney Commissioned since 2002 Practice Full time Part time

Employment/Position/Occupation: ACCOUNTANT

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

Jon Burroughs

Louisiana Notary HCR 81 Questionnaire

Name: EARLENE WOLF CALO Parish of Commission: ORLEANS

Attorney Non-attorney Commissioned since 1983 Practice Full time Part time

Employment/Position/Occupation: PARALEGAL

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No *But would hope not to retest.*

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

Earlene Wolf Calo
NOTARY PUBLIC
4500 One Shell Square
New Orleans, Louisiana 70139
504-585-0396
email: caloew@arlaw.com

July 22, 2002

C. Alan Jennings
Louisiana Notary
P. O. Box 4206
Baton Rouge, Louisiana 70821-4206

Dear Mr. Jennings:

While I am rather belatedly returning the questionnaire contained in the March 2002 issue of your publication, this does not in any way indicate a lack of interest on my part in the outcome of HCR 81. (Apparently Orleans Parish Notaries are not well represented in the committee.) I believe if we wish to elevate the office of Civil Law Notary, we must accept a more standardized method of testing and be willing to keep abreast of the constant changes in our laws.

I have been a practicing notary in Orleans Parish for nineteen years, and my commission has been utilized in my work as a paralegal in real estate and commercial transactions for Adams and Reese LLP. I was mentored by a meticulous attorney/notary who has the highest ethics and who imparted to me the gravity of the responsibility accompanying the office.

In the summer of 1983 I sat for the examination in Orleans Parish and, out of approximately 25 applicants, was the only one who passed. The test was lengthy, mostly essay questions and contained as the last item the requirement to draft a conventional mortgage or a statutory will (using hypotheticals of our choice). If notarial examinations statewide were as comprehensive, *there would be fewer non-attorney notaries, but they would be much better qualified.* That being said, and the fact that I work in this area of law on a daily basis, I still would not like to be required to retest to maintain my lifetime commission. While many professions require continuing education, I am not aware of any that require retesting.

Working in a large law firm, I have access to research on changes in the law. I am also a title insurance agent and attend seminars which mesh with notarial practice. However, I think it would be beneficial to have an annual CE hours requirement. It would especially benefit those notaries who are self-employed and do not have the resources of a large firm. If travel to attend seminars is a problem, perhaps courses could be made available on the internet.

I am of two minds as regards classes of notaries. There is a great disparity between the "jurat" concept and the true civil law notary, but there is a need for the services provided by both. I am disinclined to tamper with so venerable an institution without well thought out means of regulation.

Notaries who practice with an imperfect knowledge of the law are taking enormous risks, and are not giving their clients the service they should expect to receive. I sincerely hope the committee's work results in changes that are beneficial to the office as a whole.

I continue to find your publication a source of enlightenment and enjoyment.

Sincerely,



Earlene Wolf Calo

Louisiana Notary HCR 81 Questionnaire

Name: Arthur Douglas Cook Parish of Commission: CALCASTEU

Attorney Non-attorney Commissioned since 1993 Practice Full time Part time

Employment/Position/Occupation: V.P. of Powell Timber Co.

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

Louisiana Notary HCR 81 Questionnaire

Name: PEGGY R. COURTNEY Parish of Commission: E. BATON ROUGE

Attorney Non-attorney Commissioned since 1986 Practice Full time Part time

Employment/Position/Occupation: _____

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

**Peggy R. Courtney
Notary Public
10723 Oakline Drive
Baton Rouge, Louisiana 70809-3315**

May 12, 2002

Louisiana Notary
Post Office Box 4206
Baton Rouge, LA 70821-4206

In response to your request for opinions on the issues being studied by the HCR81 Study Committee, I offer the following comments:

Continuing education for notaries should be mandatory. The type that would be of greatest value would keep us abreast of changes and new laws enacted by the legislature that affect what we do as notaries public. I think this could best be accomplished by publishing such actions maybe once a year and charging a reasonable fee for a subscription. Louisiana Notary and other publications keep us informed of major changes, but I'm looking for a source that has all I need to know without including a lot of legislative actions that don't affect me as a notary.

Standardized testing is appropriate where the rules and duties are standard, but there are exceptions in the case with Orleans Parish that would have to be taken into consideration. Certainly we should all be required to pass the same test as to knowledge of the law, and that should put us all in the same "class".

Peggy R. Courtney

Peggy R. Courtney, N.P.
Parish of East Baton Rouge

Louisiana Notary HCR 81 Questionnaire

Name: Judith W. Gulver Parish of Commission: Bossier

Attorney ___ Non-attorney X Commissioned since 1993 Practice Full time ___ Part time X

Employment/Position/Occupation: Secretary-Electric Utility

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No X

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No X

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No X - Most notaries in Louisiana keep up by subscribing to a newsletter for updated legislation. The Sec. of State has a list of all notaries. Pertinent info should be sent to all notaries on a regular basis. We can read... I work 2 jobs and can't participate in classrooms.

Louisiana Notary HCR 81 Questionnaire

Name: Levoy Dupre Parish of Commission: St. Landry Parish

Attorney ___ Non-attorney X Commissioned since March-64 Practice Full time ON Part time X

Employment/Position/Occupation: Tax Administrator St. Landry Parish School Board (City Of Eunice retired) (part time)

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No X

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No X

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No X

Please write to us and share your opinions on the issues being studied by the HCR81 Study Committee:

- Statewide Jurisdiction
- ~~Standardized Testing for new commissions (yes)~~
- Mandatory Continuing Education
- System for Monitoring and Enforcement of Standards
- Professional Governance and Regulation

Louisiana Notary HCR 81 Questionnaire

Name: Mary U. Foret Parish of Commission: Lafourche

Attorney Non-attorney Commissioned since 1963 Practice Full time Part time

Employment/Position/Occupation: Justice of the Peace

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

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5/6/2002

TO THE HCR81 Study Committee:

I worked in an Attorney's office from 1953 to 1976, and in 1963 commissioned a Notary Public FOR LIFE, under the administration of Gov. Jimmy Davis.

In 1963 I went before Judge P.D.Martinez of the 17th Judicial District Court of the Parish of Lafourche and took a very thorough test which included Adoptions, Divorces, Successions, Wills and Notary work. There was testing on MOTOR VEHICLE TRANSFER AS WELL.

I work as a full time Notary and would not be in favor of exchanging my LIFE COMMISSION.

I was elected JUSTICE OF THE PEACE IN 1990 and still hold that office.

How do JUSTICE OF THE PEACE, (those who have not been exposed to NOTARY WORK) become Ex-officio Notaries. Who do they get their training from. I expecially favor continuing education for those people.

SINCERELY,

Mary U. Foret

MARY U. FORET
115 Uzee Lane
Raceland, La.
537-6413

Louisiana Notary HCR 81 Questionnaire

Name: JULIUS J. GARY Parish of Commission: CALCASIEU

Attorney ___ Non-attorney [checked] Commissioned since 1986 Practice Full time ___ Part time [checked]

Employment/Position/Occupation: CONSTRUCTION CONSULTANT

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No [X]

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No [X]

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No [X]

Please write to us and share your opinions on the issues being studied by the HCR81 Study Committee:

- Statewide Jurisdiction
-Standardized Testing
-Mandatory Continuing Education
•System for Monitoring and Enforcement of Standards
-Professional Governance and Regulation

Louisiana Notary HCR 81 Questionnaire

Name: RITA H. Gray Parish of Commission: Calcasieu

Attorney ___ Non-attorney [checked] Commissioned since 1998 Practice Full time ___ Part time [checked]

Employment/Position/Occupation: Secretary - Powell Timber Co.

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No [checked]

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No [checked]

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No [checked]

Marie H. Hamby, Notary Public

(originally and currently) commissioned in Caddo Parish,
formerly in St. Tammany and Orleans Parishes

Even though this is late, I want to express my views on the study being done regarding statewide commissions and mandatory continuing education. Here are my thoughts:

I am in favor of statewide commissions, primarily because I have moved around the state a bit and it is somewhat expensive to obtain a commission when one moves to another section of the state. If we had statewide commissions, presumably a change of address would suffice. A statewide commission would benefit me in my work with the law firm, as I am sometimes sent out of the office to function as a notary (and especially did this in my previous employment). Clients come from all parishes, not just a particular cluster.

I am in favor of statewide testing if we have statewide commissions because that would be fairer to everyone. The current system leaves something to be desired, I believe.

I am in favor of continuing education, but not mandatory continuing education as this primarily benefits the companies who give the classes. Better to select and attend our own choices, but then, I realize there are those who will not do continuing education. This does present a problem.

I oppose having to prove your notary bond on an annual basis as is done in Orleans Parish. However, I think it is a good idea to prove that you have a current notary bond once each 5 years as that is the term of a commercial bond and the premium for the full 5-year bond must be paid at the inception of the bond. Presumably, this is done when we file our bonds with the Secretary of State's office every 5 years.

If statewide commissions are approved, I am not in favor of eliminating all of the current notary commissions in favor of everyone taking a statewide exam in the beginning. I think current notaries in good standing, which includes a current bond, should be "grandfathered" in. I know with statewide commissions, an agency will have to be set up to govern us, much as the Bar Association works. I don't know how to suggest this should be done, but it seems to me it could be an arm of the Secretary of State's office since notaries are registered with that office. Also, we could elect officers from our ranks. But, then, we will be left open to the office becoming a political boondoggle as many Louisiana offices are, i.e. custodian of notarial archives in Orleans Parish, as it was for many years.

I have been a Notary Public since 1975 so being a Notary Public is not new to me. I use my commission primarily in connection with my work as a paralegal for a law firm and it works quite well. I sometimes do outside work but have little time to cultivate a business as I have too many other responsibilities. Perhaps when I retire I will cultivate my personal notary business more.

Don't have all of the answers, but would like my suggestions known.

Louisiana Notary HCR 81 Questionnaire

Name: JERRY P. HEBERT Parish of Commission: ST. BERNARD

Attorney ___ Non-attorney ___ Commissioned since 2/12/99 Practice Full time ___ Part time

Employment/Position/Occupation: MANAGER VIDEO POKER CO.

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ? No ?

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No ___

Louisiana Notary HCR 81 Questionnaire

Name: James L. Hodges Parish of Commission: Beauregard
for a Rural Community

Attorney ___ Non-attorney Commissioned since 12-8-47 Practice Full time ___ Part time

Employment/Position/Occupation: Accountant

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No

SYDNEY HORN - Calcasieu Parish - Attorney, commissioned 1964

Here are my comments for what they are worth:

1. I think there should be a standardized test used by every parish. Like you said. A list of 1000 questions the examining committee can choose from.

My reason: That eliminates those parishes where they give the commission away. That also eliminates those parishes where some attorney on the committee does not like giving anyone a commission.

2. I am against [mandatory] continuing notarial education. Surprised you didn't I.

My reason: Attorney's are required to do this and most of them go because they are forced to go, but all they do is read the news paper. For example I am guilty of that. Why. For example: I don't practice criminal law so when some guy is speaking about that I don't care to listen. It would be nice, and I would be all for it, if they would let me listen to those subjects in which I practice law.

Secondly: I don't think it makes any attorney a better attorney. You still have those attorney's that attended a seminar, but still are lousy attorney's and you will still have notaries that attend a seminar and are still lousy notaries. The person is what they are by their nature. So I don't feel that continuing notary education will make for better notaries. Yes, some will be better and some won't. But I believe that those that care to be knowledgeable will be so without making them go to school.

3. I am against different classes of notaries. It is true that many prospective notaries just want to notarize car titles. How are you going to differentiate between one notary that can just do that and one that is a full notary? Yes, you can have their seal say "jurat" or something of that nature, but if you will remember the old saying, "If it ain't broke don't try and fix it" You have some notaries that come awful close to practicing law. I can tell from teaching at the annual seminar, but I don't have a problem with that if they are competent. Some are more knowledgeable in some areas that I am. I don't understand why some lawyers would object because an incompetent notary just makes more work for the competent lawyer. In some cases you get what you pay for. For example I would not want to purchase a second hand parachute.
4. Notaries are presently appointed for life. It should stay that way. Why make the paperwork etc. for keeping up with the renewal. It sounds to me like we are trying to copy the Federal Government. Too complicated, too much cost. Too much waste.
5. You should have a state wide notary jurisdiction. If I am a notary in Calcasieu, I should be a notary in ANY parish. The law is the same in all of Louisiana. It is silly to have some parishes lumped together and some that are not lumped together. I don't mind that you have to take the test in the parish where you reside, but if you have a standard test then what difference would that make. But why change it. I don't believe in changing anything that does not need changing.

Now in summary I will take your HCR 81 Questionnaire

1. Is a state wide jurisdiction important to you as a matter affecting your practice.

Yes and No. (Not much help am I) Generally I would guess the answer is NO, but you should be able to move from one parish to another without all the red tape you now go through. But why all the fuss and work. Just make it state wide jurisdiction like the lawyers and be done with it.

2. Would I want to re-qualify for a new commission. Absolutely not. NO NO NO

3. Mandatory Continuing Education. NO. I don't like "Mandatory" anything. "Voluntary---yes)

4. Do I favor a legislatively mandated annual continuing education. NO

Louisiana Notary HCR 81 Questionnaire

Name: Ann H. Langlois Parish of Commission: East Baton Rouge

Attorney ___ Non-attorney Commissioned since 2/8/02 Practice Full time ___ Part time

Employment/Position/Occupation: Certified Public Accountant

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No ___

Please write to us and share your opinions on the issues being studied by the HCR81 Study Committee:

- Statewide Jurisdiction
- Standardized Testing
- Mandatory Continuing Education
- System for Monitoring and Enforcement of Standards
- Professional Governance and Regulation

Louisiana Notary HCR 81 Questionnaire

Name: MARY A. LAURENT Parish of Commission: LAFAYETTE

Attorney ___ Non-attorney Commissioned since 1985 Practice Full time ___ Part time

Employment/Position/Occupation: COMMUNICATIONS MANAGER/UTILITY COMPANY

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No

Louisiana Notary HCR 81 Questionnaire

Name: Lawana Magnusson Parish of Commission: Caddo

Attorney ___ Non-attorney Commissioned since 1991 Practice Full time Part time ___

Employment/Position/Occupation: Whitaker Construction Co., Inc.; Payroll Accountant

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No ___

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No ___

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No ___

Louisiana Notary HCR 81 Questionnaire

Name: Rita J. Mann Parish of Commission: Rapides

Attorney ___ Non-attorney Commissioned since 1999 Practice Full time ___ Part time

Employment/Position/Occupation: First Baptist Church, Pineville, Finance Ministry Assistant

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes ___ No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes ___ No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes ___ No

**Rita S. Mann
201 Claiborne Street
Pineville, LA 71360-5007**

April 26, 2002

To Whom It May Concern:

Enclosed please find my questionnaire. I have marked no to each of the questions; however, I do feel there could be a possibility that these answers could change.

Because I work for a church and do most of my notary work for the church at no cost to those needing the notarial service, I have no need for statewide jurisdiction. However, I do have friends and relatives in other parishes and would love to be able to provide this service for them if I did not have to risk my appointment by doing this. At this time, I would not like to give up my commission on the chance that I might get statewide jurisdiction.

Mandated continuing education, depending on cost and time involved, could seriously affect the ability of some notaries to serve. Personally, I would love to be updated on laws, changes, how to fill out difficult forms, etc. on a regular basis. I am not often called upon to do such work, but would like to know that I could if the need arose. I would, however, prefer to see this as a voluntary, low cost option for continuing education in this field.

I am sure that many notaries do this full-time as a way to earn an extra income. Upon retirement, I, too, might consider this as a full or part-time vocation to which I could devote more time. If that should happen, I would be much more likely to pursue statewide jurisdiction, annual education, and the option to re-qualify.

Thank you for the opportunity to share my opinion on this issue.

Sincerely,



Rita S. Mann
Notary Public, Rapides Parish
State of Louisiana

Louisiana Notary HCR 81 Questionnaire

Name: Mildred F. May Parish of Commission: Lincoln

Attorney Non-attorney Commissioned since 11/76 Practice Full time Part time

Employment/Position/Occupation: Retired

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

5/4/02 I have had my Notary was employed with a finance company and for a long time I received no compensation.

I have a lifetime license since 11/76, and I agree with Mr. Therese C. Boudreau, if they are established new rules & specifications, they apply to new Notaries.

I am retired and do not make a living from Notary fees. I only Notarize car titles, real estate loans. No wills, deeds or anything of that nature. Mildred F. May

Louisiana Notary HCR 81 Questionnaire

Name: Barbara A. Cary Milburn Parish of Commission: St. Landry

Attorney Non-attorney Commissioned since _____ Practice Full time Part time

Employment/Position/Occupation: Student / Part-time LPN

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

May 3, 2002

Dear Study Committee Members,

With concerns on the HCR81 study, I have enclosed my opinion. Truly, statewide notarial duties should be granted only in the notary's residing state. Standardized testing should be the same in all states. Attorney Brennan implies that a notarial licensure is very easily to obtain, which it is certainly a fact in some cases. However, my instructor only selected applicants who made at least a "B," in the course. He repeatedly made this statement to ensure that only serious inquirers would apply for the notarial examination rather than the standard test for college credit. I agree that educational courses and credit would require a regulatory board to maintain accurate records. My question is Who or what committee would be designated to perform this duty? Possibly this might mean that membership or subscription fees would be increased to pay for this job. Attending workshops is not always feasible for me, but if other options were available I could easily obtain and maintain the required educational credits. These alternative educational methods could consist of a videotaped workshop session with an assignment to be typed and mailed for a reasonable sum, an assignment from the quarterly newsletter, or an electronic assignment for which to receive credits. Personally, I could benefit from continuing education as well as other notaries. Possibly the parish appointee who is a active notary and subscriber of a Notary association could keep track of the notary's credit hours and notify the Secretary of State annually to decide if a member's lifetime privileges should be continued. Granting each notary an assigned number is an excellent way to regulate the profession and the responsibilities of a specific type of notary. Presently, I am not comfortable writing up mortgages, because I feel it requires more of an attorney's expertise rather than my qualifications. However, if I worked in a mortgage firm, bank or lending institution, or lawyer's office then I would feel less discomfort. As for now I will gladly stick to working with auto title transfers and signature notarizations.

Sincerely,

s/Barbara Milburn, LNA notary member

A handwritten signature in cursive script that reads "Barbara Milburn". The signature is written in black ink and is positioned below the typed name.

COMMENTS:

Please see that this gets to the Louisiana Notary HRC 81 Secretary of State Committee. Based on the March, 2002 Newsletter, both the Louisiana Notary Publication and the Committee Chairperson, Cynthia Cotton, want feedback.

SURVEY:

Name: Anthony J. Nocilla Parish of Commission: Calcasieu

Attorney ___ Non-attorney X Commissioned since: 02-23-1987
Practice Full time ___ Part time X

Employment/Position/Occupation: I work for BellSouth in Lake Charles. I am an Outside Network Administrator which involves engineering type work on all cable facilities within my area of responsibility (Beauregard, Calcasieu, Cameron, Jeff Davis, Vermillion, and Vernon Parishes). BellSouth obtains rights of way from private property owners to place new cable. These permits require notary acknowledgement and filing with the Clerk of Court. I also occasionally execute documents for co-workers such as car title transfers/sales, power of attorney forms, affidavits, and acts of donation. I don't charge any fees for the notary work I do as it predominantly associated with my employment.

Statewide Jurisdiction

Is statewide jurisdiction important to you as a matter affecting your practice?
NO

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you re-qualify? YES, if the requirements and costs were not prohibitive; otherwise, NO

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement?
YES, if the content were made relevant and the cost were not too high

FEEDBACK

STATEWIDE JURISDICTION: I have mixed feelings about this. I feel that with the increased power to exercise the powers of Notary office would obviously bring increased responsibility and accountability. If, as stated in the newsletter, a lot of Notaries are not being completely responsible and accountable with their local office, they would not do any better with a statewide office. Being in favor of this would automatically imply a favorable response to the other items on the list.

STANDARDIZED TESTING: Successful completion of such a test would certainly be the vehicle to making sure a Notary would, at least initially, be knowledgeable of his/her responsibilities for the entire state. I feel that it would be the State's responsibility to be certain that there were adequate facilities and education for anyone who wished to take the test. The education I received prior to my Notary exam was six week session I enrolled in given by a local attorney. There was, and I believe there is still, nothing form available for someone who wishes to prepare for a Notary exam. I feel this would apply to the Notary commission as it exists now as well as how it may end up after the Bill passes the Legislature.

MANDATORY CONTINUING EDUCATION: I think this is an excellent way for any Notary to stay in touch and on top of any new laws that may impact the execution of his office. Again, I feel it would fall to the State to make sure that a reference could be made available to Notaries at the time of this annual education. I discovered in college that it wasn't not so important to memorize every morsel of information given to you in class. It was important to know where to find it when you needed it. While it is part of the attorney's livelihood to keep up with recent changes in the law and invest a sizable amount of his/her operating expenses in a reference library, I don't think any Notary makes enough to build and maintain such a library. If an annual reference could be made available, at a nominal cost, which highlighted the changes that impacted the Notary's job, this would be a valuable and affordable way to keep up.

I recall seeing a reference to "re-testing" in the newsletter. Again, I draw on my experience in college. I started graduate school after my graduation and was able to complete one year before having to go into the Army. Prior to my departure for the Army, I took my comprehensive exams on what I had completed so far. I asked my department head if I would have to be re-tested on this material when I returned in two years and completed the degree program. He said NO; and emphasized that he doubted he would fare well on his doctorate exams if he had to repeat them. I agree with this philosophy.

SYSTEM OF MONITORING AND ENFORCEMENT OF STANDARDS: I think this is needed even if the Notary laws don't change. This would go hand in hand with the previous item on annual continuing education.

PROFESSIONAL GOVERNANCE AND REGULATION: I'm not sure what this means in this context. I thought that the four items above could be summed up with this category. If it implies more, please let me know.

QUESTIONS

What should be changed? I think Standardized Testing, Mandatory Continuing Education, and a System to Monitor and Enforce Regulations should all be implemented.

What should be left alone? I think the existing office of Regional Notary should be maintained for those who do not wish to invest the time and money in a statewide office. This would be consistent with a comment I read in the Newsletter about having different degrees of the commission.

How should CE and Exam program be implemented and maintained? The standard exam should be compiled by a commission authorized by the new Law. The appointments could be made by the office of an elected official with the governor's approval. This group, consisting of a minimum of 64 members, could then review the exams for all parishes and/or regions and come up with a test that was representative of all the state. The test should have no more that 150 questions and should be able to be completed in 4 hours. A passing score of 80% would be required to receive a commission. An application fee should be assessed that would cover the cost of administering the test. Perhaps an annual licensing fee should be assessed to each Notary receiving a commission. His/her Bond should be annually renewable rather than every 5 years. This renewal would be based on the successful completion of the continuing education set up for that year and the payment of the license fee.

I've probably volunteered too much; perhaps much more that you were looking for. When I got started, I kept going. I do take my Notary duties seriously. I do very few authentic acts. I do a lot of acknowledgements but with all parties present.

Louisiana Notary HCR 81 Questionnaire

Name: SANDRA S. Noel Parish of Commission: LAFAYETTE

Attorney Non-attorney Commissioned since 1983 Practice Full time Part time

Employment/Position/Occupation: CAJUN CORNER CARS

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No Maybe

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No



CAJUN CORNER CARS
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Lafayette, LA 70507
Ph: (337) 886-2911
Fax: (337) 886-9366

CONTACT:

ROLAND NOEL, OWNER

SANDY NOEL, NOTARY PUBLIC

BUY, SELL, TRADE & RENT FLEET VEHICLES

April 30, 2002

Alan,

I JUST WANTED TO DROP A SHORT NOTE ON MY FEELINGS. I KNOW THIS IS VERY IMPORTANT AND WILL IMPACT ALL NOTARIES, INCLUDING MYSELF. DUE TO CERTAIN MEDICAL PROBLEMS I DO NOT HAVE THE

TIME TO BECOME MORE INVOLVED. AS ALWAYS THE "LOUISIANA NOTARY NEWSLETTER" HAS BEEN VERY INFORMATIVE. THANKS FOR STAYING ON TOP OF THINGS.


SANDY NOEL

RESPONSE TO LOUISIANA NOTARY HCR 81 QUESTIONNAIRE

STATEWIDE JURISDICTION - MAYBE - This would be acceptable for the ones who want it to re-qualify and could even be mandatory for all new Notaries. The Notaries who received their Notary Commission after following all the rules and were tested, should not have to re-test. My commission was granted for life. I state at the end of every Notary Act that my Commission Expires at Death. So unless the State of Louisiana is planning on becoming known as "The Notary Serial Killer", I don't feel my Commission or others should be messed with.

STANDARDIZED TESTING - IN FAVOR - This is a very good idea. Attorneys, Non-Attorneys and Deputy Clerk of Courts should all have to pass the same test to be commissioned. I also don't understand how Notaries at present that were given commissions and never passed the proper testing are considered Notaries at all. I realize it is an appointed public official position, but, appointments should be able to be revoked if not obtained properly. By revoking those Notaries would it not help with part of the present problems? I am also in agreement with some type of Commission Number to properly identify Notaries (signatures are rough to read sometimes).

MANDATORY CONTINUING EDUCATION - OPPOSED - I can see where this could cause serious problems. Money and time are both factors in this. I know I am not the only Notary who makes very little money from it and also has a full time job. Continuing education in any field is always good. The seminars I have attended have been very informative. I think the interaction with other Notaries, day to day business, the information obtained from the internet and Notary Associations and News Letters are valuable in being informed. Due to doing mainly car titles due to us owning a wholesale dealership, I stay on top of DMV changes almost daily. A seminar every 6 months is helpful, but I need more. I have to hope any person trying to do a responsible job will take the needed initiative to stay informed. Those who don't, Mandatory Education will not help.

Louisiana Notary HCR 81 Questionnaire

Name: BETTY L PARKER Parish of Commission: FRANKLIN

Attorney Non-attorney Commissioned since 1-92 Practice Full time Part time

Employment/Position/Occupation: SCOTT MOTORS INC - TITLE CLERK

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

Louisiana Notary HCR 81 Questionnaire

Name: H.J. PICOU III Parish of Commission: TERREBONNE

Attorney Non-attorney Commissioned since 6-28-82 Practice Full time Part time

Employment/Position/Occupation: SELF-EMPLOYED

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

HJ PICOU III TAX/ACCTG SERVICE

May 13, 2002

The Louisiana Notary
PO Box 4206
Baton Rouge, LA 70821-4206

Dear Sir or Madam:

Having been commissioned almost twenty years ago, I feel that your inquiries in reference to the Secretary of State's Committee are very important.

Statewide Jurisdiction: since I operate out of my office, I have no need for anything other than what I have, a commission in and for the Parish of Terrebonne. However, I can see the benefit of this being an option for individuals wanting to provide a service in the neighboring parishes, such as Lafourche in our area. Regional Notaries seems to me to be the way to go.

Standardized Testing: this in itself may not be practical, but it surely would eliminate the political and "I know somebody" arbitrarily passing of tests in local parishes which does happen on occasion. Even the Internal Revenue Service gives a standardized test for Enrolled Agents and changes it every year. This may not be very practical, but I feel that this is very important.

Mandatory Continuing Education: *this is a must. I feel that even if the legislature divides the commission and provides for a commission just to attest to signatures, this is necessary for all classes.*

As to the other areas mentioned, I feel that at this time, they would be too much to expect as the State of Louisiana needs to address certain areas first, then continue with those other areas. I especially appreciated the State spot checking Notary Publics in our area last year. Too many clients walk into my office and ask me to lower the price on a sale of a motor vehicle and I refuse. Most walk out and go somewhere else. Here is another suggestion for you to consider: why not make the Notary post a \$10,000 bond just as a car dealer does and have him collect the tax and license, transfer the vehicle and provide the plate and registration to the new owner. I feel that this would go a long way to eliminate those doing this work as a "sideline" and those who really do not realize the authority vested in their office.

Thank you for allowing me to express my thoughts. I may be interested in attending a meeting in my area in the future.

Sincerely,



Harry J. Picou III
HJ Picou III, Notary Public

Louisiana Notary HCR 81 Questionnaire

Name: REEVES M. PLAUCHE Parish of Commission: AVOYELLES

Attorney Non-attorney Commissioned since 3/8/49 Practice Full time Part time

Employment/Position/Occupation: TAX PROFESSION & NOTARY

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

LOUISIANA NOTARY
P.O. BOX 4206
BATON ROUGE, LA. 70821-4206

MAY 1, 2002

REFERENCE TO: HCR81 STUDY COMMITTEE

THIS IS MY OPINION ON THE ABOVE HCR81.

I WAS COMMISSIONED ON MARCH 8, 1949 AND I FEEL THAT AS LONG AS WE PRACTICE AND ADHERE UNDER THE RULES AND SPECIFICATIONS I SHOULD AND OTHERS LIKE ME, RETAIN OUR LIFETIME COMMISSION.

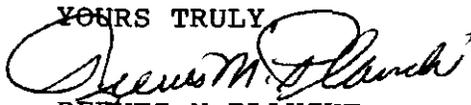
IF WE HAVE TO START TRAVELING (IN MY SITUATION 50 MILES) FOR AN EDUCATION AND TESTING, THIS WILL PUT A HINDRANCE ON SERVING THE PUBLIC, ESPECIALLY IN THE COUNTRY. OUR RATES WOULD HAVE TO BE RAISED MAKING THIS HARD ON THE PUBLIC I SERVE, AS THE MAJORITY ARE ON A LOW FIX INCOME.

THE FACT THAT ATTORNIES WOULD LIKE TO SEE LESS NOTARIES, AS WAS CLEARLY POINTED OUT IN THE NEWSLETTER IS WRONG ESPECIALLY ON US LIFETIME COMMISSIONERS.

THE EXAMINATION, TESTING AND MANDATORY CONTINUING EDUCATION SHOULD BE FOR NEW NOTARIES.

THANK YOU FOR YOUR KIND AND HELPFUL ATTENTION ON THIS AND OTHER MATTERS.

YOURS TRULY



REEVES M. PLAUCHE
2536 HWY. 107 SOUTH
COTTONPORT, LA.
SUVB#10043

Louisiana Notary HCR 81 Questionnaire

Name: GARY B. Tillman Parish of Commission: Rapides

Attorney Non-attorney Commissioned since 1988 Practice Full time Part time

Employment/Position/Occupation: Attorney

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

Please write to us and share your opinions on the issues being studied by the HCR81 Study Committee:

- Statewide Jurisdiction - Attorneys only
•Standardized Testing - non-Attorneys only
•Mandatory Continuing Education - all
•System for Monitoring and Enforcement of Standards - Need
•Professional Governance and Regulation - Need

Louisiana Notary HCR 81 Questionnaire

Name: Leslie R. Vercher Parish of Commission: Lafayette

Attorney Non-attorney Commissioned since 9/2001 Practice Full time Part time

Employment/Position/Occupation: Legal Assistant

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

Louisiana Notary HCR 81 Questionnaire

Name: Charlotte J. Walker Parish of Commission: Calcasieu

Attorney Non-attorney Commissioned since 1992 Practice Full time Part time

Employment/Position/Occupation: Self-Employed - TAX Prep - Book Keeping

Statewide Jurisdiction:

Is statewide jurisdiction important to you as a matter affecting your practice? Yes No

If the State of Louisiana offered a new statewide commission for which you could re-qualify in exchange for your current commission, would you opt to re-qualify? Yes No

Mandatory Continuing Education

Do you favor a legislatively mandated annual continuing education requirement? Yes No

The following is excerpted from a letter from Greg DeKeyzer, founding editor of Louisiana Notary. It did not arrive as a response to either survey or questionnaire, but as an independent offering from one of our state's most thoughtful experts on Louisiana notary law and tradition.

While Mr. DeKeyzer's free-thinking suggestion is not likely to actually garner widespread political support, it is one of the most novel suggestions to come forth. You should read it through before you jump to any conclusions about what he is saying. I had to think about it for a while, but I think he makes an excellent point, so it is posted here for the "FWIW" department.

– C. Alan Jennings, Editor, Louisiana Notary

Gregory R. Olivier DeKeyzer

Founding Editor, Louisiana Notary

Notaire/Advocate

Iberia Parish

The horse is out the lot, down the road and halfway to town by now. It's too late to close the gate. I have always thought that making a notary's jurisdiction concurrent with the judicial district in which he practiced was a logical alternative to the hodge-podge mess the legislature has created. However, to do that now would create an even greater mess. Let's just go to statewide jurisdiction and get it over with.

The same comment about simplicity applies to life time commissions. Full fledged notaries commissions should remain lifetime, even for those commissioned in the future. What I am about to propose will sufficiently muddy the water.

Consider this:

The state establishes a second class of notary public whose powers are limited to accepting acknowledgments and automobile transfers. Devise a name for this officer which does not include notary in any way. Title transfer agent?

Commissions for these officers could be for a limited time - 2 years or so - and could be obtained either without examination or upon passing a simple examination dealing with affidavits and auto title transfers. Annual fees could be kept low and there would be no CLE requirements. (Competency checks in the form of a test could be required every other renewal period.)

The traditional notary public would remain and retain his historical powers. However, standards for obtaining a commission would be much stricter and there would be CLE requirements. There could be a higher application and/or annual fee as well. Commissions would continue for life as before.

There would be a transition period during which any currently commissioned notary would have three choices:

1. He could voluntarily relinquish his commission and obtain a commission as a as a Title Transfer Agent. If he did so his new commission would be for a limited term, but he would not be subject to the new stricter requirements being mandated for full-fledged notaries public. Any notary electing to convert would be required to return his notarial commission document to the Secretary of State as requirement

2. He could elect to remain a "full-fledged" notary but he would become subject to CLE requirements, increased fees, etc.

3. He could place himself on an inactive list for a maximum of 5 years. This would be done by returning the commission to the Secretary of State with a request that he be placed on an inactive roll for a maximum of 5 years and his agreement that his commission will be forfeited if he does not seek reinstatement within 5 years. At any time during the 5 years he could request to be returned to the active list upon payment of the annual fee and proof that he had satisfied the CLE requirements for the year in which the reinstatement is requested.

Since there are untold thousands of commission documents already issued, (and hanging on walls) there should probably be some criminal sanctions for any notary who continues to perform notarial functions without complying with the new regulations.

Since I believe the state can constitutionally regulate the profession, (but not lessen the term or powers of currently commissioned notaries) I would use something like the foregoing as a "carrot and stick" approach.

I realize that some people aren't going to like this. (If I have to begin taking more CLE courses I'm not going to be happy either.) However, I don't see much choice. We started with a profession whose duty it was to act as midwife for the confection of contracts and we have corrupted it to the point where the prime function of most of its members is to transfer titles to automobiles.

The profession can be returned to its original position

and importance. Properly done, it could serve as a model for all those common law states which have delighted in looking down their noses at us for so many years.

To be fairly done, changes will have to respect the needs of those notaries whose prime purpose in obtaining a commission was for limited in-house business use or

auto transactions. This can be done. I have attempted to give some ideas as to how it might be accomplished constitutionally and with respect to everyone's interests.

Hope this is of some help.

Best wishes, Greg

Louisiana Notary **The Notary's Newsletter**

Post Office Box 4206, Baton Rouge, Louisiana 70821

A newsletter published three times a year dedicated to the enhancement of the notarial profession in Louisiana

Summer, 2002

Dear Fellow Notary:

All notaries in this State share an unavoidable problem. The laws and jurisprudence affecting every aspect of your practice are changing with ever increasing speed. Gone are the days when the knowledge you acquired when preparing for your notarial or bar examination could be counted upon to remain essentially unchanged during your professional career. The results of a failure to remain abreast can be at best embarrassing, and at worst, injurious and potentially costly.

Louisiana Notary is a newsletter designed to bridge this information gap. Published three times yearly (Spring, Summer, and Fall) since 1983, it has become recognized as *the* informational service for notaries. **Non-attorney notaries** find it invaluable for keeping abreast of the endless legislation and jurisprudence affecting their everyday practice. **Attorneys** find it useful in filling the gap in notarial practice left by other legal journals and continuing education seminars.

Louisiana Notary reviews court decisions and legislation of general interest to notaries, and monitors the bureaucracy for changes important to notaries. Additionally, most issues contain a readers' forum where answers to readers' questions are discussed. Common notarial forms presented in a reproducible format are frequently included, in addition to general articles of interest to all Louisiana notaries.

The current issue continues coverage on the legislatively mandated (HCR81, 2001) notary study committee being conducted by the secretary of state. The first page of the current issue is printed inside this flyer so you can have a sample of the publication's style and content.

In addition to the newsletter, subscribers may also access a special and exclusive opt-in e-mail update service and a subscriber-only information site on the Internet.

This service is not only useful; it is a practical necessity. And, you will be pleased by the price – Only \$19.50 per year including state sales tax (\$18.75 + .75) for three issues. If you do any notarial work whatsoever, you will find this publication pays for itself many times over. A subscription order form is appears at the end of this back cover.

Sincerely,


C. Alan Jennings, NP
Managing Editor

Louisiana Notary **The Notary's Newsletter**

About our Editors

Managing Editor

C. Alan Jennings, NP

Alan Jennings, commissioned in East Baton Rouge parish in 1990 comes to Louisiana Notary from his former post as the executive director of the Louisiana Notary Association (no affiliation with Louisiana Notary). He has published extensively on notarial law and practice and other subjects of interest to Louisiana's notaries since 1995. He served as LNA publications chairman, contributing writer to, and editor of, their quarterly "Signed & Sealed" from 1995 to 2000.

Editorial Advisors

Richard P. Bullock, JD, NP

Richard Bullock was commissioned as a notary public prior to entering law school at Louisiana State University. Richard graduated Order of the Coif (1991) and served as law clerk to Justice James Dennis of the Louisiana Supreme Court. He is a former member of the East Baton Rouge Parish Notarial Examination Committee. He currently has a general law practice in Baton Rouge. He is author of the desk reference Wills, Trusts, and Successions: The Notarial Role.

David Hamilton, JD, NP

David Hamilton was born and reared in New Orleans, Louisiana where he attended Roman Catholic schools through high school. He received his B.A. in history from LSU in 1968 and his J.D. from LSU in 1974. He has practiced law in Louisiana since April 1975 including eight years as general counsel for the Louisiana Department of Education. He taught the notary public preparation course under the auspices of the LSU Paralegal Program for fourteen years and presents notarial law workshops. He currently is chairman of the EBR parish notary examiners committee.

Sydney I. Horn, JD, NP

Syd Horn is a practicing attorney in Lake Charles. He has instructed non-attorney candidates preparing for their notarial qualifying exam for over 20 years. He estimates the number of non-attorney notaries commissioned after taking his course is about 2500. He received his J.D. from Tulane University School of Law in 1964 and has been practicing law ever since, hoping, as he says, that "One of these days, I'll get it right." Mr. Horn is the author of the textbook The Louisiana Notarial Handbook & Study Guide

Susan L. Johnson, NP

Susan Johnson graduated with a degree in Arts in History/Government from Southeastern Louisiana University in 1982, and of the Paralegal Studies Institute at LSU in 1988. She was named "Outstanding Paralegal of the Year" in 1990 (in the State of Louisiana) for her contributions to the paralegal profession. She is a notary public since 1988 and has held commissions in Tangipahoa Parish and more recently in Livingston Parish. She is co-author of A Basic Louisiana Notary Guide, second edition, (3 volumes) and of A Handbook for Louisiana Notary Study, Second edition. She is also the instructor of the Notary Public Preparation Course at LSU in Baton Rouge.

Mary E. Tharp, JD, NP

Mary Tharp is a partner with the Baton Rouge law firm of Taylor, Porter, Brooks & Phillips, L.L.P. She is a 1980 graduate of the Paul M. Hebert School of Law at Louisiana State University. She has been a guest lecturer on property matters for the Institute of Real Estate Law at LSU, the Institute of Paralegal Education at Eau Claire, Wisconsin, and the Louisiana Notary Association, and a guest lecturer on ethics for the Louisiana Notary Association and the Louisiana Association of Defense Counsel. She was an instructor of real estate law in the Paralegal Studies program at LSU 1990-1998.

Founding Editor

Gregory R. Olivier-deKeyzer, JD, NP

Greg DeKeyzer is a practicing notaire/advocate in New Iberia, Iberia Parish, Louisiana. He established this publication in 1983. Now beginning its twentieth year, Louisiana Notary has become the standard for delivering timely and thorough content on notarial law and practice in Louisiana. Greg turned over the pen in 2000, but continues to lend his guiding wisdom to his successor editor and advisors.

LOUISIANA NOTARY

Volume XIX, Issue 3 - July 2002

The Notary's Newsletter

A newsletter published three times a year dedicated to the enhancement of the notarial profession in Louisiana

HCR 81 - Notary Study Committee

Study Committee Meeting - July 24, 2002

The HCR 81 Notary Study Committee met again in July to receive the reports of three subcommittees commissioned to fact-find throughout the state and report back to the committee. Two of the subcommittees reported; the third did not report. The full reports are included with this issue in a special supplement. Summaries are given below:

Subcommittee #1 - Standardized Testing:

The Standardized Testing subcommittee of the HCR 81 Notary Study Committee reports its majority concurrence in the proposition that all candidates for a notary commission in any parish should be tested using a uniform statewide *standard* for examination.

Subcommittee #2 - Mandatory Continuing Education reported a majority and a minority report:

The majority report, by members Glenn Stallings (Shreveport), Walter Brunty (Benton), and Sue Dier (Walker), stated that the committee conducted thirteen (13) meetings across the state and hundreds of telephone interviews with notaries. They sum up their findings as follows:

What the majority committee is saying in plain fact is:

1. Notaries want to keep up to date concerning their notary appointment.
2. They do not want to be mandated to do so. They took an oath of office (attached) and paid a bond to perform with integrity. That means keeping up with the civil code.

The majority report also includes a statement of full committee concurrence in other recommendations:

We as a committee offer the following recommendations:

1. Clean up the current records of notaries at the Secretary of States office.
2. Suspend any notary who fails to report through the Secretary of States office.
3. Request that all notaries public report violations of notary practices, including Justices of the Peace, ex-official notaries, police, sheriff, and others.

The subcommittee's minority report is by members Kathleen Clark (Covington) and Paul Bello (New Orleans), who reported their recommendations as follows:

It is of primary importance to the members of the Louisiana Civil Law Notariat and to the public that Civil Law Notaries commissioned in Louisiana keep current on changes and developments through continued legal education. We recommend that rules be established to set minimum requirements for continuing legal education for notaries and that the establishment of a mandatory program of continuing legal education for notaries should

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Post Office Box 4206
Baton Rouge, Louisiana 70821

HAVE YOU HEARD? Recent proposed changes to laws pertaining to Notaries Public seek to add continuing legal education requirements for retaining your notary commission, propose to add a statutory Code of Ethics for notaries, and would expand the authority of the Custodian of Notarial Archives of Orleans parish to all notaries statewide. **Will you know when and if these changes are enacted by the legislature?**

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