

Majority Report of Sub-Committee No. 2  
Mandatory Continuing Education

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In answer to a request that information be gathered to make a response to a desire for Mandatory Continuing Education (M.C.E.) for Louisiana Notaries or not, the following report is issued.

Public meetings were held in cities throughout Louisiana by this sub-committee. The cities included and the results of their meetings are as follows:

<u>City</u>	<u>Number of Meetings</u>	<u>Majority Feeling</u>
Alexandria	1	Against
Baton Rouge	2	Against
Bossier City	2	Against
La Fayette	1	Against
Mandeville	1	For
Metairie	1	For
Monroe	1	Against
Opelousas	1	Against
Shreveport	3	Against
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	13 meetings total	

In addition, several hundred phone calls were made, along with e-mails, letters and personal one-on-one contacts. We believe the M.C.E. Committee has done all it could, and has talked to and with more people than perhaps has ever been done with a cross section of notaries.

The results of this work proved to be very interesting and enlightening. Many people came forward to offer their comments in writing and vocally. Without question the largest numbers of people were [AGAINST] M.C.E., but were for Continuing Education (C.E.). Wanting to understand why, we asked. The reasons people gave for being against Mandated Continuing Education are:

1.  Everyone seems to view being a notary as a profession or job, rather than an appointed official to the state performing a service to their constituency in the area they reside.
2. Most notaries do not do enough notary work to pay the cost of a mandated education system that would probably cost \$150-\$300 a year, plus travel.
3. The majority of notaries do not want to be required to travel several hours to attend training, especially at the prices afore mentioned. The need of a possible overnight stay, cost of food, gas, etc. could easily be another \$100 or more, along with being away from home for a day or more.

It is important to realize that of the above statements, almost all, more than 95% have said continuing education is important. They are receiving it through their local notary organizations. Most organizations offer 45-60 minutes of notary education at their monthly meetings. Members therefore join the organization at a cost of \$20 to \$45 for a one-year membership and receive their C.E. at no additional charge. Most notaries can travel less than an hour and attend such meetings. Any person attending 12 such meetings a year will have received approximately 12 hours of continuing education. We noted fair prices and good instruction at the five different group meetings we attended in organizations this past two years. Keep in mind that does not take into account half-day and full-day seminars held in the state by various organizations.

As the majority committee, we find it difficult to recommend any action other than allowing continuing education to move forward in its present form.

In 1999, L.N.A. did a survey where the question of M.C.E. was asked. Of the 800 plus members in the organization only 300 plus responded. Of those, 55% favored Mandatory Continuing Education. Using the round number of 300, we may conclude that 165 people responded positively, leaving 135 opposed. However, the bigger answer not given is that somewhere between 400 and 500 members thought that no answer was the best answer.

We might assume that those who pay dues to an organization, any organization, feel to do so because they are active and want to keep up with something they care about. Less than 50% responded to the survey mentioned above and just barely over 50% of that group wanted M.C.E. Does that mean that of active notaries belonging to what was claimed to be the largest notary organization, that state felt by 75-80% that M.C.E. was not wanted and that current forms of C.E. work?

The E-Mail Survey done in May 2002 showed the following information:

In favor of M.C.E.:	19
All other responses:	19
	38 Total (50% AGAINST M.C.E., 50% FOR M.C.E.)

Also, HCR-81 Questionnaire went out with the following response:

In favor of M.C.E.:	13
Other responses:	26
	39 Total (Only 33% FOR M.C.E.)

Not what we would call an overwhelming response FOR M.C.E.! What it tells us is we can make any report look almost anyway we want it to and we can just outright distort the truth. In fact, most people in the above two studies were FOR continuing education—but not mandated. Many went so far as to place in their answers what conditions they felt should be in place to protect notaries from over-zealous pushers of Mandatory Continuing Education. The record speaks for itself. Without honesty and integrity, numbers can be made to say whatever a person wants.

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.

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.

**REMEMBER, NOTARIES ARE A PUBLIC SERVICE APPOINTMENT, NOT PROFESSIONAL BUSINESSES.**