OneSpan

Beginner's Guide to Remote Online Notarization

Modernizing the notarization process for greater efficiency and superior experience

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The Time is Now for Remote Online Notarization

Conditions during the pandemic prompted a sea-change in how we conduct business. Dozens of states passed temporary legislation permitting Remote Online Notarization (RON). Suddenly, whether through an independent or an in-house notary at an enterprise organization, documents and agreements could be notarized remotely using videoconferencing technology.

According to the American Land Title Association, RON transactions increased 547% in 2020[1], indicating the heightened demand for remote online notarization among consumers looking for a secure and convenient alternative to traditional notarizations. Moreover, the surge in use of digital technologies during the pandemic has made consumers more comfortable conducting business remotely. Consumers and organizations are now seeking ways to close mortgage loans, complete a vehicle purchase, or execute powers of attorney remotely.

With the pandemic past and RON gaining permanent legal backing in many states across the U.S., the time is now to adopt a robust RON solution.

American Land Title Association [1]

547%

increase in RON transactions in 2020.

What is Remote Online Notarization?

RON is the notarization of a document remotely using collaboration and security technologies to provide the same assurance of authenticity as an in-person notarization. Documents can be signed and notarized online, without the need to physically meet in person, through a secure videoconferencing session.

The notary can validate and authenticate the signer's identity using knowledge-based authentication (KBA), credential analysis, and ID verification technology. The remote online notary is required to record and retain the recordings of the notarization session for a certain period of time as per state regulations.

The Value

Digitize the end-to-end remote notarization experience

- Eliminate errors
- Eliminate paper costs and increase efficiency
- Complete notarized documents and agreements quickly

Eliminate the hassles of meeting in-person

- Connect notaries and signers online to notarize remotely
- Facilitate compliant notarizations and obtain secure signatures in real-time
- Support multiple signers in different locations
- Provide a refreshingly easy experience with clear, guided steps

Mitigate risk with strong identity proofing and credential analysis

- Leverage ID verification and knowledge-based authentication to positively identify signers
- Secure notarized agreements throughout the transaction lifecycle

Capture strong electronic evidence to facilitate U.S. state compliance requirements

- Access recordings of the session, electronic journal, and a comprehensive audit trail
- Create a detailed log of events that took place during the notarial act and session

Remote Online Notarization 101
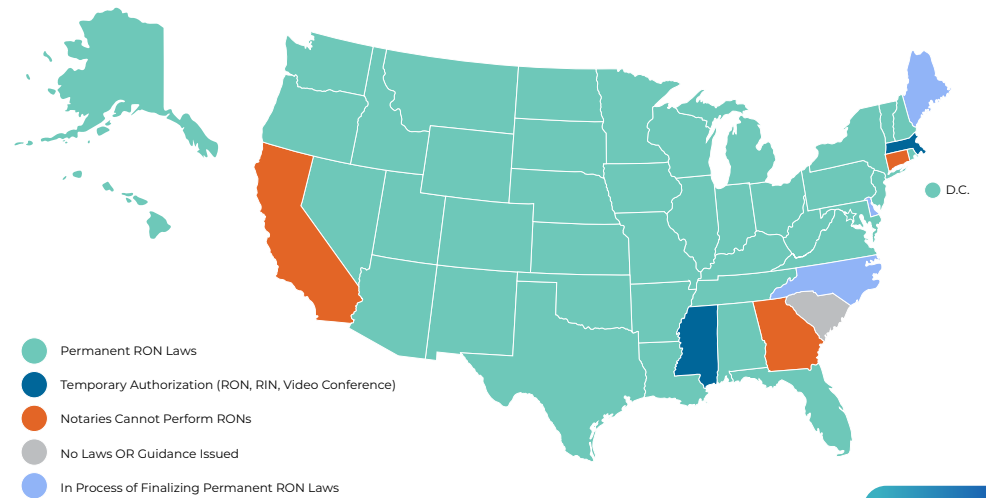
Top Questions Organizations Ask

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Is It Legal?

In most states, YES.

Responding to the pandemic, dozens of U.S. state legislatures passed bills enabling the temporary use of RON. State legislatures are now negotiating RON regulations.

More than 40 U.S. states have passed permanent legislation for RON.

RON Policies: Permanent Laws or Temporary Rules

- Permanent RON Laws
- Temporary Authorization (RON, RIN, Video Conference)
- Notaries Cannot Perform RONs
- No Laws OR Guidance Issued
- In Process of Finalizing Permanent RON Laws

D.C.

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What Features Are Required to Support RON?

RON regulations across the United States require several important capabilities that capture the end-to-end notarization process:

- **Secure videoconferencing technology:** The notary must be able to review and answer the signer's questions in real time using audio-video communication technology, such as a webcam and video feed of remotely located individuals.

- **Electronic signature:** Capturing legally binding electronic signatures in the remote online notary session is an important step to complete the notarization.

- **Identity proofing options:** Notaries are required to verify the signer's identity before accessing the online notary session. Look for a solution that includes ID verification capabilities as well as dynamic knowledge-based authentication.

- **Notarization capabilities:** State requirements mandate that solutions include capabilities for notaries to apply their electronic notary seal as well as capture important information of the online notarization in an electronic journal.

- **Audiovisual recording:** All states require an audiovisual recording that captures the notary and signer interacting throughout the session.

- **Strong electronic evidence:** To establish enforceability and authenticity for every online notarized agreement, it's important to look for a solution that produces an audiovisual recording and comprehensive audit trail capturing detailed events during the notarial session in an electronic record.
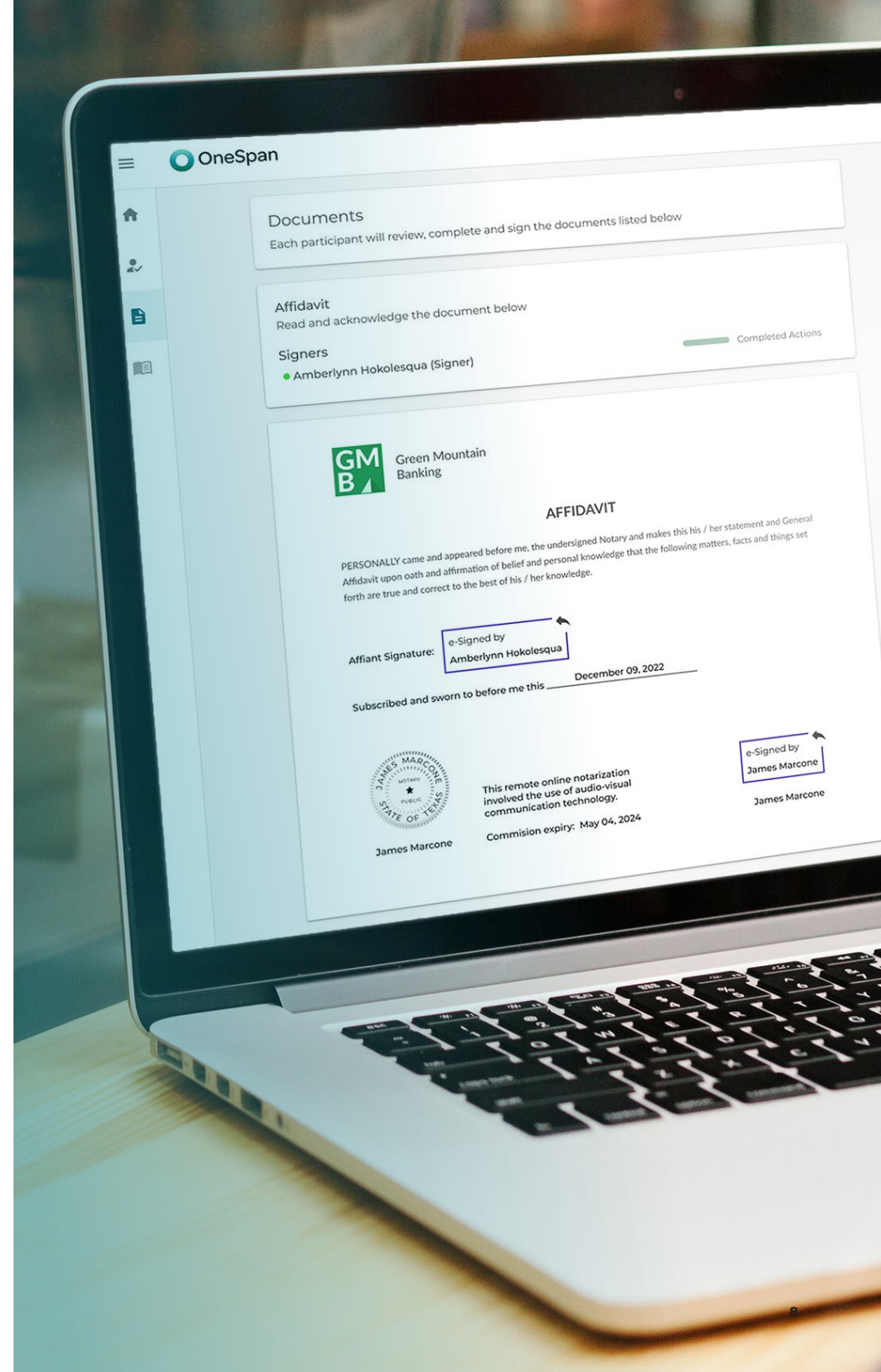
Is It Secure?

It is critical for a RON solution to provide security and trust at every step of the workflow – protecting notaries, signers, and the underlying agreements of the session. Security best practices include:

- **Digital signatures applied after each e-signature on the document:** RON solutions are required to produce tamper-evident signed documents after the online notarization is completed.

- **Built-in security controls:** Co-browsing capabilities block participants from signing on behalf of each other, providing a secure e-signing and notarizing experience for all parties involved.

- **Identity proofing options:** Identity proofing options like ID verification and knowledge-based authentication are a requirement in RON solutions for some states. Leveraging these identity proofing options mitigate the risk of fraud by helping notaries positively identify the signers.

How Does It Work?

01 Prepare

- Upload documents or select template
- Specify notary public and signer
- Schedule session

02 Invite

- Signer clicks link in email invitation to join

03 Authenticate

- Identity verified using ID Verification, Knowledge-based Authentication (KBA), and remote ID presentation

04 Review

- Signer joins notary in live video session
- Notary reviews agreement with signer

05 Sign & Notarize

- Signer joins notary in live video session
- Notary captures key transaction information in eJournal
- Notary applies eNotary seal to complete transaction

What Are the Top RON Use Cases?

Financial Services (General)

- Powers of attorney
- Trust openings / establishing trusts
- Deeds
- Affidavits
- Beneficiary changes
- Signature witnessing

Wealth Management

- Estate planning
- Transfer investments / securities
- Beneficiary changes
- Retirement distributions
- Death certification
- Trustee certification

Auto-Finance

- Car title transfer / ownership of vehicle
- Lien release
- Notice of lien
- Vehicle certificate of ownership
- Auto finance and refinance contracts

Mortgage

- Mortgage closing
- Mortgage refinancing

Insurance

- **Life insurance:** Beneficiary changes, retirement distributions
- **Claims processing:** Total loss claims, property claims, life and annuity claims
- **Other:** Policy changes, payment redirects, adjuster licensing

Legal

- Affidavits
- Powers of attorney
- Deeds
- Estate planning
- Commercial lease contracts

Government (State & Local)

- Quitcalm deeds
- Right-of-way easements for construction work
- Affidavits
- Powers of attorney
- Various other documents in the Secretary of State and City Clerk offices

Other (Horizontal)

- Government filings
- Enterprise litigation documents
- Sign-off on regulatory documents
- Acknowledgements
- Waivers
- Internal corporate notarizations
- HR documentation
- Certificates of incumbency

*These are example use cases only. Please work with your legal team to ensure compliance with your specific state requirements.

Best Practices
for RON

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Easy for All Users

A RON solution should be quick and intuitive to use, simplifying the remote online notarization process for all users.

WHEN EVALUATING SOLUTIONS, ASK THE FOLLOWING QUESTIONS:

Easy for administrators

- Can administrators onboard notaries easily from a single location in the solution? Or do they need to toggle between different screens and accounts to add notaries?

- Do admins need to chase notaries to update their expired notary commissions or can the notaries update this information themselves?

- Can notaries launch their meeting with one-click or do they need to boot up another app?

- Are built-in safeguards in place to authorize verified notaries access to the solution or do admins need to monitor this activity?

Easy for notaries

- Can the notary easily update their profile and access their notary journal in a self-service tool? Is the self-service tool intuitive to use?

- Can the notary easily launch, schedule, and complete online notarizations in a streamlined way? Is there friction added to the process because the notary needs to toggle between different screens, apps, and emails to complete online notarizations?

Easy for signers

- Does the solution include value-added features with the audio-video technology, like co-browsing, that effectively guides signers through every step of the remote online notarization?
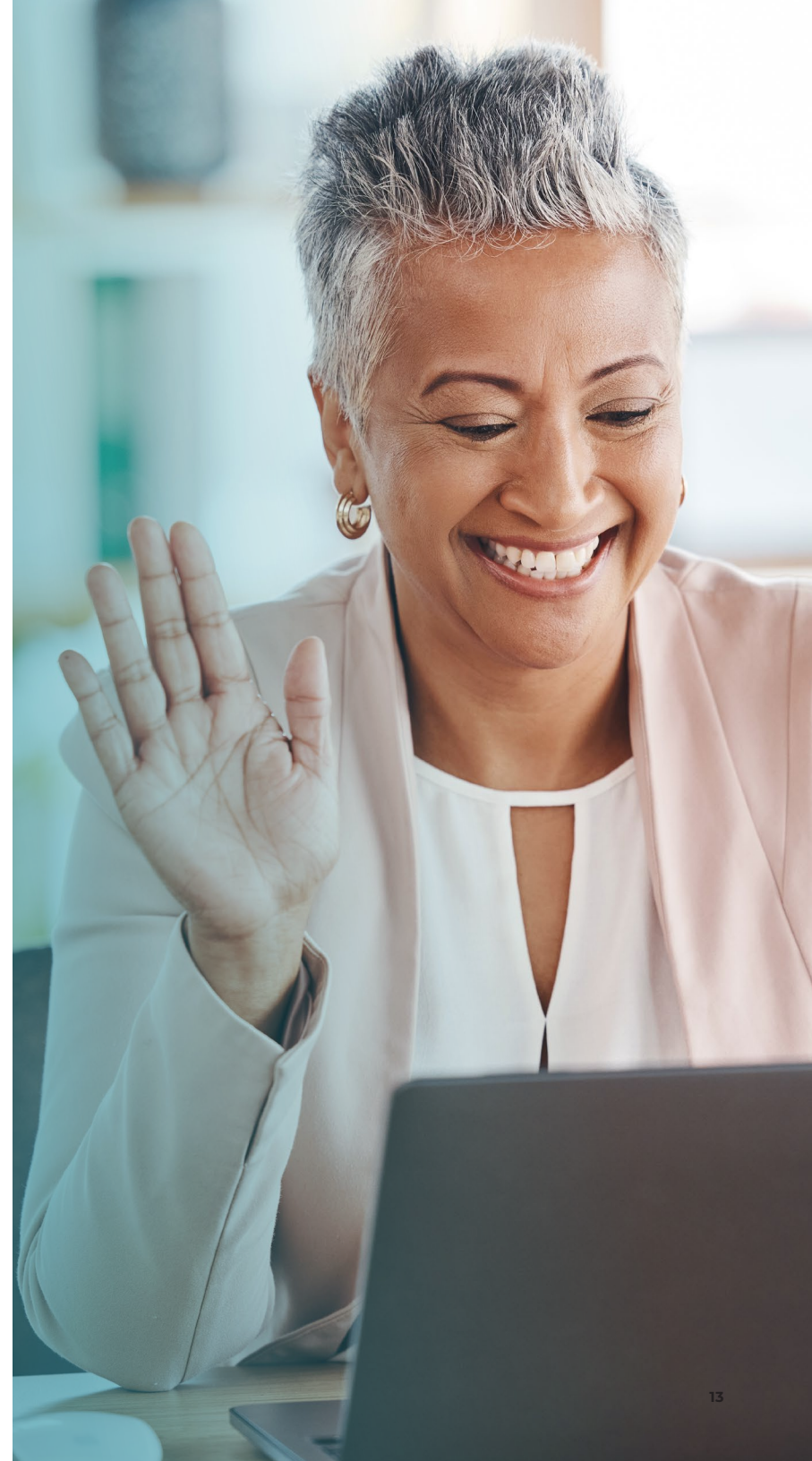
Single, Unified Audit Trail

To demonstrate compliance and establish enforceability, an audit trail must be accurate and reliably reproduced for every online notarized agreement. Choose a solution that captures the details of all events during the notarial session, such as:

- Signing privileges being passed between the notary and participants
- Documents viewed and signed by each signer
- Signing order during the RON session
- IP addresses and geolocation details of all participants
- Signer pass / fail authentication details
- And more

"The instructions are very easy to follow. Very user friendly, especially for notaries first starting out with remote online notarization."

NOTARY
HOOD RIVER, OREGON

White-labeling

To provide a memorable customer experience when conducting a RON session, ensure your solution offers the ability to white-label the experience.

White-labeling enables you to fully customize the online notarization experience end-to-end – from the email invites sent to signers, to the content of the email notifications, and all screens presented to the signers during the online notarization session.

A white-labeled experience deters email phishing attacks; these can put your organization and signers at risk with potential malware downloads and hackers exploiting customers' identity and personal information.

See How White-labeling
Can Prevent Phishing

Read More

Onboarding Support

When introducing RON to your organization, choose a vendor that provides ample implementation and adoption support through every step of the onboarding process:

- **Training materials:** These include **tutorial videos** and detailed documentation demonstrating how to use the RON solution. Training resources can help users acclimate to the solution quickly.

- **Reliable and responsive customer support:** When issues arise, having a partner that can dedicate reliable support resources provides peace of mind and a faster resolution.

Choose a vendor that is committed to your success and provides post-sales support for your organization.

Request a OneSpan Notary Demo

Let's get you acquainted with OneSpan Notary

- Explore notarization use cases for your industry

- Get pricing information

- Get all your questions answered to make sure you have all the information you need

- See how existing OneSpan Sign customers can easily upgrade to OneSpan Notary

Request a Demo
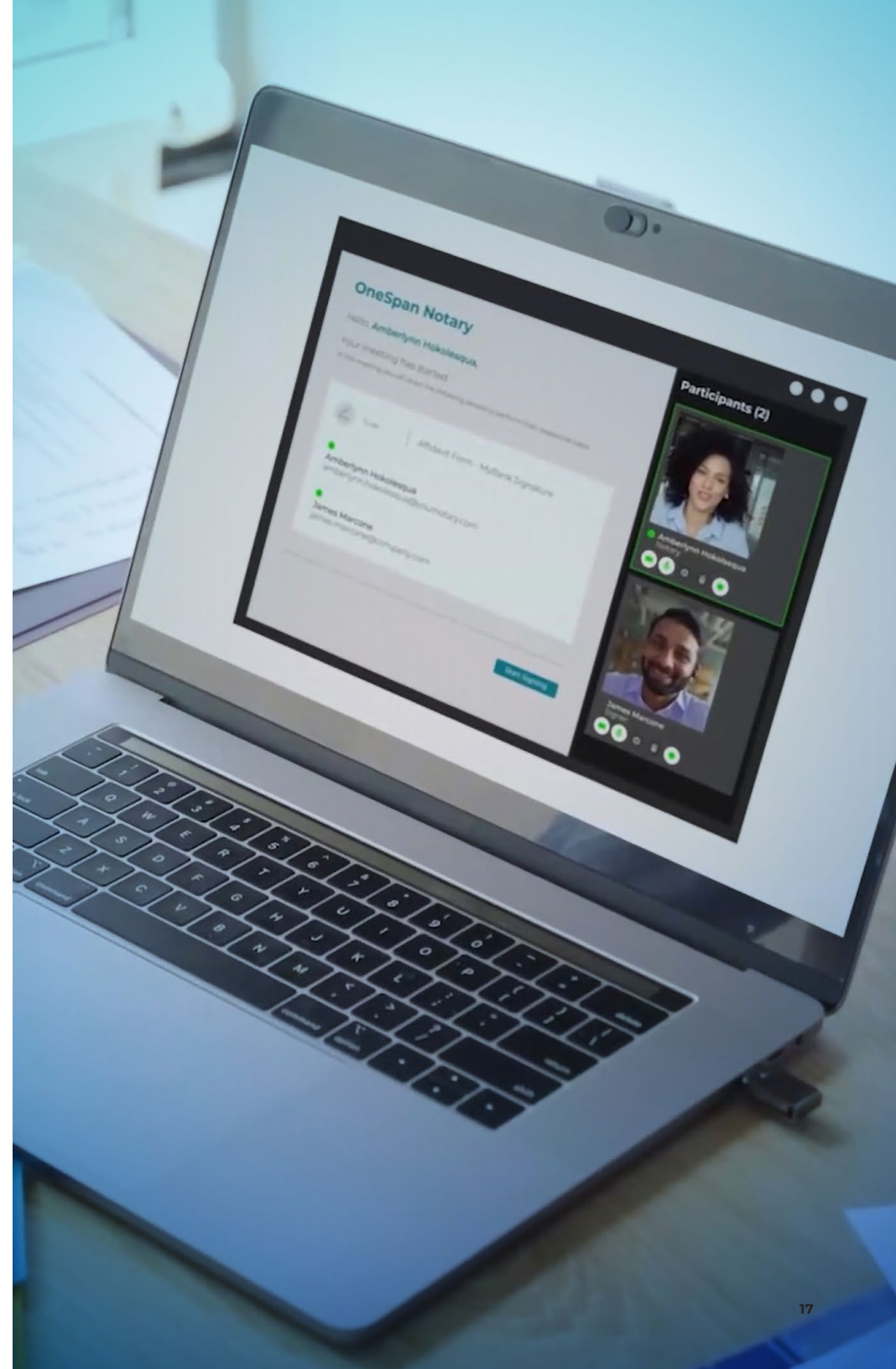
References

1. American Land Title Association, "Use of RON Increased Substantially in 2020", https://www.alta.org/media/pdf/advocacy/Use-of-RON-Increased-Substantially-in-2020.pdf

About OneSpan

OneSpan, the digital agreements security company™, helps organizations accelerate digital transformations by enabling secure, compliant, and refreshingly easy customer agreements and transaction experiences. Organizations requiring high assurance security, including the integrity of end-users and the fidelity of transaction records behind every agreement, choose OneSpan to simplify and secure business processes with their partners and customers. Trusted by global blue-chip enterprises, including more than 60% of the world's largest 100 banks, OneSpan processes millions of digital agreements and billions of transactions in 100+ countries annually.

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Learn more about OneSpan Notary