

LAW PRACTICE

Oregon's Remote Online Notarization Is Here – But Only Temporarily

By Hong Dao, PLF Practice Management Attorney

Notarization in Oregon became a bit challenging when COVID-19 forced people to stay home and keep a physical distance. Many lawyers came up with clever ways to notarize their clients' documents in person while still maintaining a safe distance. For example, the lawyer, client, notary, and witnesses would meet in their individual vehicles at the lawyer's office parking lot. The notary and witnesses would sit in their cars and watch the client sign the document through the windshield. Then documents would be physically exchanged with limited contact. This parking lot transaction may appear a bit shady to a passerby.

Fortunately, the Oregon legislature recently passed and the Governor signed HB 4212 that makes these parking lot transactions or in-person notarizations unnecessary. Part of this bill (which addresses many other issues) legalizes Remote Online Notarization (RON) through June 30, 2021.

RON allows the notarization of documents to be conducted remotely using a secure online platform

designed for remote online notarization. This means that the signer and witnesses do not have to be in the same physical space as the notary to perform the notarial act. This is a much-needed relief, not only for lawyers, but also for many other professions and industries that routinely notarize documents.

Before lawyers rely on remote notarization, it's important to understand what the process entails and ensure that the notary has complied with all the RON requirements. The Secretary of State (SOS) has more information on RON available here: <https://sos.oregon.gov/business/Pages/remote-online-notarization.aspx>. The SOS has also put together a useful video on YouTube to explain RON and its requirements: <https://www.youtube.com/watch?v=kAFhzjxqUrM>.

Be aware that RON may not be adopted by every notary in Oregon. And for those who still prefer the traditional way, there is always the parking-lot-transaction option. ■

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