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> <https://www.actec.org/resources/emergency-remote-notarization-and-witnessing-orders>

EMERGENCY REMOTE NOTARIZATION AND REMOTE WITNESSING ORDERS

June 29, 2020

Below is a list of states that have acted to allow remote notarization or remote witnessing on an emergency basis. This publication was compiled for the College by ACTEC Fellow [Lauren Wolven](https://www.actec.org/directory/profile/Lauren-Wolven/c0c8a723-e943-4628-85f9-56466f615667) (<https://www.actec.org/directory/profile/Lauren-Wolven/c0c8a723-e943-4628-85f9-56466f615667>) of Chicago and her colleague, Erin Mayer. This is a swiftly developing area and we ask that any Fellow with additional information or changes to please contact ACTEC Fellow Lauren Wolven at lwolven@lplegal.com (<mailto:lwolven@lplegal.com>).

DISCLAIMER

LAWS ARE RAPIDLY CHANGING IN RESPONSE TO COVID19 AND
INFORMATION CONTAINED HEREIN IS SUBJECT TO CHANGE

(Jump to State)

| ALABAMA | ALASKA | ARIZONA | ARKANSAS | CALIFORNIA | COLORADO | CONNECTICUT |
DELAWARE | FLORIDA | GEORGIA | HAWAII |

| IDAHO | ILLINOIS | INDIANA | IOWA | KANSAS | KENTUCKY | LOUISIANA | MAINE |
 MARYLAND | MASSACHUSETTS | MICHIGAN | MINNESOTA |
 | MISSISSIPPI | MISSOURI | MONTANA | NEBRASKA | NEVADA | NEW HAMPSHIRE | NEW
 JERSEY | NEW MEXICO | NEW YORK |
 | NORTH CAROLINA | NORTH DAKOTA | OHIO | OKLAHOMA | OREGON | PENNSYLVANIA |
 RHODE ISLAND | SOUTH CAROLINA | SOUTH DAKOTA |
 | TENNESSEE | TEXAS | UTAH | VERMONT | VIRGINIA | WASHINGTON DC | WASHINGTON |
 WEST VIRGINIA | WISCONSIN | WYOMING |

ALABAMA

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes, but remote witness is only considered "in person" if the presence and identity of the witness is validated by the notary at the time of the signing
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Governor Proclamation is in effect until the Governor terminates her March 19, 2020 declaration of public health emergency in AL, unless rescinded or extended by proclamation. On April 2, 2020, the Governor made additional revisions
- **Supporting link** Proclamation (<https://governor.alabama.gov/newsroom/2020/03/state-of-emergency-coronavirus-covid-19/>) and Supplemental proclamation (https://www.abn.alabama.gov/wp-content/uploads/2020/04/2020-04-02-Fifth-Supplemental-SOE_COVID-19.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**
 Original Proclamation: only certain notaries may notarize signatures (attorney-notaries and notaries who work under the supervision of an attorney) and confirm witness signatures made in a videoconference. The date and time of the notarization is when the notary witnessed the signature during the videoconference even though the notary certifies and executes the documents afterwards.

Supplemental proclamation: A. Notaries appointed in AL (including non-attorney and unsupervised notaries) may notarize signatures remotely if they maintain a recording of the audio-video communication for 5 years after the recording is noted in the notary's logbook

ALASKA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** no
- **status of remote notary/witness rules/regulations** SB 241 signed into law by Governor on April 9, 2020

- **Supporting link** Link (<http://www.akleg.gov/basis/Bill/Text/31?Hsid=SB0241Z>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

ARIZONA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** April 8, 2020: Governor issued Executive Order, effective April 10, 2020
- **Supporting link** Link (<https://insurance.az.gov/executive-order-2020-26-remote-online-notary-services>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** all records of the notarization must be saved and backed up by the notary public in accordance with law

ARKANSAS

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes - if notary is one of 4 types
- **Trust: Allow remote witnessing and/or notary?** yes - if notary is one of 4 types
- **status of remote notary/witness rules/regulations** AR Governor Executive Order 20-12 signed on March 30, 2020
- **Supporting link** Link (https://governor.arkansas.gov/images/uploads/executiveOrders/EO_20-12.__.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Rule ONLY applies to the following Notaries:
 - Notaries who are attorneys licensed to practice law in Arkansas
 - Notaries who are title agents licensed by Arkansas
 - Notaries who are supervised by either an attorney or a title agent licensed by Arkansas
 - Notaries who are employed by a financial institution registered with the Arkansas State Bank Department.

CALIFORNIA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate and has codified harmless error rule, which allows a will that is not validly signed to be admitted to probate if there is clear and convincing evidence the testator intended it to be a will)
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property

- **Will: Allow remote witnessing and/or notary?** No, but Testators might bypass the need for witnesses by preparing handwritten (holographic) wills as described in Probate Code section 6111. Alternatively, there is an exception to the dual witness requirement in Probate Code section 6110(c)(2) that applies where “clear and convincing evidence” shows that, at the time the testator signed the will, he or she intended it to constitute his or her last will.
- **Trust: Allow remote witnessing and/or notary?** no
- **status of remote notary/witness rules/regulations** A Remote Online Notarization bill has been introduced in California
- **Supporting link** Link (http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB1322)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Secretary of State has advised the "California citizens who wish to have their documents notarized remotely can obtain notarial services in another state that currently provides remote online notarization. California Civil Code 1189 (b) provides that any certificate of acknowledgment taken in another place shall be sufficient in this state if it is taken in accordance with the law of the place where the acknowledgment is made." Notably, Montana Notaries are permitted to perform remote notarizations for signers outside the state.

COLORADO

- **Does state require will to be witnessed?** yes - 2 witnesses, unless testator’s signature is notarized in the witness section; also codified harmless error rule, which allows a will that is not validly signed to be admitted to probate if there is clear and convincing evidence the testator intended it to be a will
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Governor Executive Order that expired on April 26, 2020 was extended until December 31, 2020 when new law under SB 20-096 (<https://leg.colorado.gov/bills/SB20-096>) becomes effective.
- **Supporting link** Original Executive Order (https://drive.google.com/file/d/1c_QxNWMuZZbv-4keXDP_CCXjzULFxK6E/view), First 30 Day Extension (<https://www.colorado.gov/governor/sites/default/files/inline-files/D%202020%20047%20Notary%20Extension.pdf>), Second 30 Day Extension (<https://www.colorado.gov/governor/sites/default/files/inline-files/D%202020%20087%20Notarization%20Extension.pdf>) (May 29, 2020) and Notice of Temporary Adoption (https://www.sos.state.co.us/pubs/rule_making/files/2020/20200330NotaryNoticeTempAdopt.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

CONNECTICUT

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** only an attorney may administer a self-proving affidavit to a Last Will and Testament. Any witness requirement for a Last Will and Testament may be satisfied remotely through videoconference if it is completed under the supervision of a Commissioner who must certify that he or she supervised the remote witnessing.
- **Trust: Allow remote witnessing and/or notary?** Yes

- **status of remote notary/witness rules/regulations** Governor Executive Order No. 7Q through June 23, 2020
- **Supporting link** Link (<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7Q.pdf?la=en>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

DELAWARE

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Governor Executive Order
- **Supporting link** Link (<https://governor.delaware.gov/health-soe/eleveth-state-of-emergency/>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**

State guidance: Many states around the country already permit notarizations to be performed remotely by trained online notaries who utilize regulated remote notary technology providers. There is currently nothing in Delaware statutes that prohibits an individual or business from using a remote notary from states who permit remote notarization.

The general public can use Notarize.com and NotaryCam or any other provider that they may research and choose. There are specific charges to remotely notarize a document using notaries who are licensed and trained to perform remote online notarizations.

FLORIDA

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** no
- **Trust: Allow remote witnessing and/or notary?** no
- **status of remote notary/witness rules/regulations** Supreme Court of Florida Administrative Order only applies to oaths
- **Supporting link** Link (<https://www.floridasupremecourt.org/content/download/632105/7182680/AOSC20-16.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

GEORGIA

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property

- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Governor Executive Order
- **Supporting link** Link (<https://gov.georgia.gov/executive-action/executive-orders/2020-executive-orders>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

HAWAII

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate and has codified harmless error rule, which allows a will that is not validly signed to be admitted to probate if there is clear and convincing evidence the testator intended it to be a will)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Governor Executive Order 20-20 signed on March 29, 2020
- **Supporting link** Link (https://governor.hawaii.gov/wp-content/uploads/2020/03/2003219-ATG_Executive-Order-No.-20-02-distribution-signed.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

IDAHO

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** statute prior to COVID
- **Supporting link** Link (<https://www.nationalnotary.org/file%20library/nna/reference-library/state-law-summaries/idaho.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Idaho's Notary Act limits to remote notary of documents signed by electronic signature.

ILLINOIS

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Executive Order affirmed on a temporary basis by statute (until 30 days after emergency declaration expires)

- **Supporting link** Link (<https://www2.illinois.gov/Pages/Executive-Orders/ExecutiveOrder2020-14.aspx>) and 30 Day Extension (<https://www2.illinois.gov/Documents/ExecOrders/2020/CoronavirusDisasterProc-5-29-2020.pdf>) (May 29, 2020) and Public Act 101-0640 (<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=2135&GAID=15&DocTypeID=SB&LegId=120308&SessionID=108&GA=101>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

INDIANA

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Executive Order signed March 31 made RON law (originally taking effect in July 2020) to take effect March 31 2020.
- **Supporting link** Link (<http://iac.iga.in.gov/iac/20200401-IR-075190329FRA.xml.html>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

IOWA

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Executive Order
- **Supporting link** Link (<https://governor.iowa.gov/press-release/gov-reynolds-signs-new-proclamation-continuing-state-public-health-emergency>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

KANSAS

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Executive Order No. 20-20
- **Supporting link** Link (<https://governor.kansas.gov/wp-content/uploads/2020/04/EO-20-20-Executed.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

KENTUCKY

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** KY Senate Bill 150 signed/effective March 30, 2020
- **Supporting link** Link (https://www.nationalnotary.org/file%20library/nna/reference-library/law-updates/sb150_en.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

LOUISIANA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** yes, notary required unless holographic
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** no
- **Trust: Allow remote witnessing and/or notary?** no
- **status of remote notary/witness rules/regulations** Executive Proclamation 37 JBE 2020
- **Supporting link** Link (<https://gov.louisiana.gov/assets/Proclamations/2020/37-JBE-2020.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Proclamation specifically excludes testaments and donations

MAINE

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes, but the notary or at least one witness must be an attorney licensed to practice in Maine
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** April 8, 2020: Governor issued "An Order Temporarily Modifying Certain In-Person Notarization and Acknowledgement Requirements"
- **Supporting link** Link (<https://www.maine.gov/governor/mills/sites/maine.gov.governor.mills/files/inline-files/EO37.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**
Key requirements are as follows:

- The person signing the document (the “signatory”), the notary, and any witness must attest to being physically present in the State of Maine.
- The two-way audio-video technology must allow direct contemporaneous interaction between and among the individual signing a document (the “signatory”), the notary, and any witness, by sight and sound in real time.
- The signatory must be known to the notary or present a photo identification to the notary during the video conference, or if a witness is with the signatory, the witness can attest to the fact that the signatory is the person he or she attests to be.
- For Wills and Powers of Attorney, the notary or at least one witness must be an attorney licensed to practice in Maine.
- The document to be signed must be provided to the notary in advance.
- Before signing, the notary must be able to view the entire space where the signatory and any witness is present, and each must state their name in clear view of the notary.
- The signatory must affirmatively state what document is being signed.
- Each page of the document being witnessed must be shown to the notary and any witness via the audio-video technology and initialed by signatory in the presence of the notary and any witness.
- The act of signing and initialing must be captured up close by the technology.
- The signatory must send by fax or electronically a copy of the entire signed document to the notary and any witness within 24 hours of signing.
- The signatory must send the original signed document directly to the witness within 48 hours of signing, or to the notary if there was no witness involved.
- The witness must within 48 hours of receiving the original document send it to the second witness, or if no second witness, send to the notary. The second witness must within 48 hours, send the original document to the notary.
- Upon receipt of the original document and satisfactory comparison with the faxed or electronic document provided on the date of signing, the notary shall notarize the original document within 48 hours with the date of the remote technology signing, and must also add the words “Notarized (and/or Witnessed) remotely, in accordance with Executive Order 37 FY 19/20.
- The recording of the two-way audio-video communication must be preserved for the notary for five years.

MARYLAND

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** No
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?**
Remote notarization: Yes, at least during current state of emergency, per Executive Order.

Remote Witnessing: Yes, at least during current state of emergency, per Executive Order.
- **Trust: Allow remote witnessing and/or notary?**
Remote notarization: Yes, at least during current state of emergency, per Executive Order.

Remote Witnessing: Yes, at least during current state of emergency, per Executive Order.
- **status of remote notary/witness rules/regulations** Governor Executive Order 20-03-30-04 signed/effective March 30, 2020 (notarization); Governor Executive Order 20-04-10-01 signed/effective April 10, 2020

- **Supporting link** Link (<https://governor.maryland.gov/wp-content/uploads/2020/03/Remote-Notarizations-3.30.20.pdf>) (notarization); Link (<https://governor.maryland.gov/wp-content/uploads/2020/04/Remote-Witnessing-4.10.20.pdf>) (witnessing)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

MASSACHUSETTS

- **Does state require will to be witnessed?** Yes - 2
- **Does state require will to be notarized?** no, but in order to be "self-proving," will must be notarized
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Remote Notarization Act passed on April 27, 2020.
- **Supporting link** Link (<https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter71>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**
 - For remote notarization of estate planning or real estate transactional documents, the notary must be an attorney or attorney-supervised paralegal
 - Remote witness's signatures must be notarized in the same manner as a principal's signature
 - All parties must be physically located in Massachusetts
 - The remote signing video conference must be recorded and the recording must be retained for 10 years

MICHIGAN

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate and codified harmless error rule, which allows a will that is not validly signed to be admitted to probate if there is clear and convincing evidence the testator intended it to be a will)
- **Does state require will to be notarized?** no, but in order to be "self-proving," will must either be notarized or must include a statement by witness made under penalty of perjury
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Executive Order 2020-74 (extends original order)
- **Supporting link** Link (https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-528192--,00.html)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Executive Order 2020-41 requires, among other things, that the recordings for documents that are notarized be preserved for 10 years and documents that are only witnessed (without a notarial act) be preserved for 3 years.

MINNESOTA

- **Does state require will to be witnessed?** yes - 2; but on April 15, 2020, MN adopted the harmless error rule (set to expire on February 15, 2021), which allows a will that is not validly

signed to be admitted to probate if there is clear and convincing evidence the testator intended it to be a will.

- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Law passed in 2019
- **Supporting link** Link (<https://www.revisor.mn.gov/statutes/cite/358.645>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

MISSISSIPPI

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Executive Order No. 1467 amended on April 7, 2020 to modify the in-person requirement for notarization temporarily
- **Supporting link** Link (<https://www.sos.ms.gov/content/executiveorders/ExecutiveOrders/1467.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**

THESE ARE THE REQUIREMENTS FOR REMOTE NOTARIZATION AND REMOTE ONLINE NOTARIZATION:

- You must be a currently commissioned notary in Mississippi, in good standing.
- You must notify the Secretary of State, Business Services Division of your intent to use remote notarization technology on our form located here.
- Using our form, you must identify the communications technology vendor you will use and confirm that the vendor allows you to, (1) view and hear the remotely-located principal in real-time; (2) verify the principal's identity through one or more of the methods set forth in the Order; and (3) record the entire notary transaction.
- For each notarial act conducted remotely, you must create and retain an audio-video recording of the entire notarial act. You must keep this electronic record just as you would your notary journal or log book.
- For each notarial act conducted remotely, you must note in your notary journal or logbook details about the notarial act, including that the notarial act was conducted for a remotelylocated principal using communications technology.
- You may charge your normal \$5 fee, plus the cost of using the communications technology, not to exceed \$25.

MISSOURI

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes

- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Executive Order 20-08
- **Supporting link** Link (<https://www.sos.mo.gov/library/reference/orders/2020/eo8>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

MONTANA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** 2019 Law
- **Supporting link** Link (<https://www.nationalnotary.org/knowledge-center/news/law-updates/mt-house-bill-370>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**
notary must be physically located in Montana; acknowledgments are the only notarial act that can be performed remotely; System Requirements
 - Must provide simultaneous visual and audio transmission
 - Must provide evidence of any change or tampering to a record
 - Must ensure integrity in the creation, transmittal, storage, or authentication of electronic records or signatures
 - Signal must be live, real-time

Transmission must be recorded; Currently Approved Providers are:

Figure Technologies – For in-house Figure employee notaries only

Notarize

NotaryCam

Pavaso

SafeDocs

Simplifile – For IPEN only

World Wide Notary

DocVerify

Nexsys

SigniX

NEBRASKA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)

- **status of remote notary/witness rules/regulations** Online notary Public Act ("ONPA") passed in 2019 to take effect in July, 2020. Governor signed executive order allowing for early implementation of the ONPA
- **Supporting link** Link (<https://sos.nebraska.gov/business-services/online-notary-statutes>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

NEVADA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary) unclear (witnessing) because notary/will statute specifically allows notary to notarize in "presence of" which includes audio-video communication (Sect. 133.088), but that definition is not included in section related to witnessing will (Sect. 133.085)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); unclear (witnessing)
- **status of remote notary/witness rules/regulations** law passed prior to COVID and Supreme Court is expected to issue Order clarifying that witnesses do not need to be physically present for proper will signing
- **Supporting link** Link (<https://www.leg.state.nv.us/NRS/NRS-133.html>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

NEW HAMPSHIRE

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witness)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Executive Order
- **Supporting link** Link (/assets/1/6/emergency-order-11_new_hampshire.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

NEW JERSEY

- **Does state require will to be witnessed?** yes - 2; but also codified harmless error rule, which allows a will that is not validly signed to be admitted to probate if there is clear and convincing evidence the testator intended it to be a will)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Governor Murphy has signed A3903 permitting remote notarization of documents.
- **Supporting link** Link (https://www.njleg.state.nj.us/2020/Bills/A4000/3903_R1.PDF)

- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

NEW MEXICO

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Governor issued an executive order allowing Notaries to temporarily provide notarizations on paper documents using video conference technology through June 20, 2020
- **Supporting link** Link (<https://www.newmexico.gov/wp-content/uploads/2020/03/Executive-Order-2020-015.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

NEW YORK

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Executive Order (original dates extended)
- **Supporting link** Link (<https://www.governor.ny.gov/news/no-20214-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>) (Original Order); Link (<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO202.28.pdf>) (extension)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

NORTH CAROLINA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate if found after death in place intended for safekeeping)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** No
- **Will: Allow remote witnessing and/or notary?** Yes
- **Trust: Allow remote witnessing and/or notary?** Yes
- **status of remote notary/witness rules/regulations** Statutory changes signed into law May 4, 2020
- **Supporting link** Link (<https://www.sosnc.gov/imaging/dime/webportal/55574421.pdf>) (starting at p. 31)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

NORTH DAKOTA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** law passed in 2018
- **Supporting link** Link (<https://www.legis.nd.gov/cencode/t44c06-1.pdf#nameddest=44-06p1-13p1>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Listed below are examples of companies that provide RON solutions. (NOTE: This is not a complete list of providers, and this office does not endorse any provider nor does it require one be selected from the list.)

OHIO

- **Does state require will to be witnessed?** yes - 2 (except oral wills)
- **Does state require will to be notarized?** No
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** 2019 statute
- **Supporting link** Link (<http://codes.ohio.gov/orc/147>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

OKLAHOMA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing);
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Oklahoma Remote Online Notary Act eff January 1, 2020; 49 O.S. Section 201 et seq.
- **Supporting link** Link (http://webserver1.lsb.state.ok.us/cf_pdf/2019-20%20ENR/SB/SB915%20ENR.PDF)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Link (<https://www.nationalnotary.org/knowledge-center/news/law-updates/ok-senate-bill-915>)

OREGON

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property

- **Will: Allow remote witnessing and/or notary?** no
- **Trust: Allow remote witnessing and/or notary?** no
- **status of remote notary/witness rules/regulations** 3/27/20 letter from Oregon Law Commission states that "The Legislature may consider enacting e-notarization on an emergency basis..."
- **Supporting link** Link (https://www.osbar.org/_docs/sections/OLCStatementonRemoteNotarization.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

PENNSYLVANIA

- **Does state require will to be witnessed?** No, to be a valid will, it need only be signed at the end. However, probate requires the affidavits (or testimony) of two witnesses. The requirement of two witnesses is satisfied by a self-proving will, which has the acknowledgement of the testator and affidavits of the two subscribing witnesses attached. If the will is not self-proving but was witnessed, affidavits of the subscribing witnesses can be taken by a notary. If the will was not witnessed or one or both of the subscribing witnesses are not available, affidavits of witnesses able to verify the testator's signature can be taken by the register of wills. Holographic wills are valid if signed at the end, but have no special status and must be proved in the same way as other wills.(who need not be subscribing witnesses) in order to probate a will
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** On April 20, 2020, the Department of State revised emergency/temporary statute, 57 Pa.C.S. Sect. 306 to temporarily allow remote notarization for all notaries public
- **Supporting link** Link (<https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2020&sessInd=0&act=15>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Solutions approved by the Department: Doc-Verify (for general use) Safe-Docs (for general use) Pavaso (for title companies and other real-estate transactions)

RHODE ISLAND

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (allows remote notarization but not for electronic records, which still requires in-person notarization); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (allows remote notarization but not for electronic records, which still requires in-person notarization); no (witnessing)
- **status of remote notary/witness rules/regulations** SOS issued Rhode Island Notarization Temporary Performance Guide - Effective April 3, 2020 until the termination of the COVID-19 state of emergency
- **Supporting link** Link (<https://www.sos.ri.gov/assets/downloads/documents/RI-RON-guidance-document.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**

Specific rules must be followed, including but not limited to the below (for entire list, see order at link (<http://www.sos.ri.gov/assets/downloads/documents/RI-RON-guidance-document.pdf>))

- Approved solution providers are: DocVerify, Inc. & Pavaso (Guardian Consumer Services)
- The notary public satisfactorily identifies the signer using one of the following methods:
 - using at least two different types of identity proofing (driver's license or ID issued by the RI DMV or another state's DMV, passport, military ID); or
 - having personal knowledge of the signer; or
 - personal knowledge is a narrow and strict option governed by R.I. Gen. Laws § 42-30.1-6(a). Personal knowledge means that you have seen the person's identification at some point during your relationship. Simply knowing the signer without ever having seen their identification does not satisfy the personal knowledge requirement.
 - taking the oath or affirmation of a credible witness who is either physically with the signer or able to communicate with both the notary and the signer simultaneously by sight and sound during the notarization process.
 - if identifying the signer by use of a credible witness, the notary public must either identify the credible witness using at least two different types of identity proofing or have personal knowledge of the credible witness's identity.
- Before performing your first Remote Online Notarization, you must do the following:
 1. Be or become a commissioned notary public registered with the RI Department of State;
 2. Read the updated Standards of Conduct during the state of emergency period;
 3. Contact one of the approved solution providers listed on our website and obtain their services for remote online notarizations.
 4. Complete the training provided by the selected solution provider.
 5. Register with the RI Department of State/Business Services/Notary Division to perform Remote Online Notarizations by completing and submitting the pertinent new notary application/renewal or information update form with all required information.
 6. Await confirmation from the RI Department of State via email before notarizing

remotely

SOUTH CAROLINA

- **Does state require will to be witnessed?** yes - 2 (one witness may be the notary)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** no
- **Trust: Allow remote witnessing and/or notary?** no
- **status of remote notary/witness rules/regulations** Remote Online Notarization Bill introduced in Senate and House in 2019 and is currently residing in the House Committee on Judiciary
- **Supporting link** Link (https://www.scstatehouse.gov/sess123_2019-2020/bills/486.htm)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

SOUTH DAKOTA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate and codified harmless error rule, which allows a will that is not validly signed to be admitted to probate if there is clear and convincing evidence the testator intended it to be a will)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Governor signed House Bill 1272 into law in 2019, which went into effect July 1, 2019
- **Supporting link** Link (<https://www.nationalnotary.org/knowledge-center/news/law-updates/sd-house-bill-1272>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Rule requires only "the notarial officer: ...affixes the notarial officer's signature to the original tangible document executed by the [principal]" and only if the notary personally knows the principal

TENNESSEE

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes
- **Trust: Allow remote witnessing and/or notary?** yes
- **status of remote notary/witness rules/regulations** Executive Order No. 26 passed on April 9, 2020 and remains in effect until May 18, 2020
- **Supporting link** Link (<https://publications.tnsosfiles.com/pub/execorders/exec-orders-lee26.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** The Document must include a provision stating

that it was executed in compliance with Executive Order No. 26 by Tennessee Governor Bill Lee, dated April 9, 2020; and the execution, witnessing, or notarization of a Document, must be memorialized by at least one of the following methods: Counterparts Or Subsequent notarization or witnessing of original Document.

TEXAS

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** yes (notarization); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notarization); yes (witnessing)
- **status of remote notary/witness rules/regulations** Secretary of State issued Order temporarily suspending statutes requiring in-person appearance before a notary public
- **Supporting link** Link (<https://www.sos.state.tx.us/statdoc/oog-temporary-suspension.shtml>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

UTAH

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Governor issued RON rule in 2019
- **Supporting link**
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** must involve "Multi-factor authentication" is defined as "a means a method of access control in which a principal is granted access after successfully presenting personal identity evidence using at least two or more of the following mechanisms: knowledge-based authentication; credential analysis; or biometric data." ..knowledge based authentication assessments must contain 5 multiple choice questions and a minimum of 5 possible answers per question; principal must achieve a passing score of 80% and complete KBA in under 2 minutes; if principal fails first KBA quiz, they can attempt up to 2 more quizzes within 48 hours from first failure and in retake, at least 40% of prior questions must be replaced; biometric sensing technologies may include facial, voice and fingerprint recognition
- **Supporting link** Link (<https://rules.utah.gov/publicat/bulletin/2019/20190915/44029.htm>)

VERMONT

- **Does state require will to be witnessed?** yes - 2 witnesses
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)

- **status of remote notary/witness rules/regulations** Vermont SOS issued emergency administrative rules permitting signers and notaries to satisfy personal appearance requirement via secure communication link but only applies to paper documents (not electronic documents); Remote witness and will signing emergency bills are pending
- **Supporting link** Link (<https://sos.vermont.gov/media/mixppvcq/emergency-rules-remote-notary-final-2020-0324.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** In order to perform a notarization in this manner: The Notary must verify the signer's identity either through personal knowledge, a credible witness or 2 different types of identification presented by the signer. The signer must be in Vermont. The notarial certificate must be hand-written, imprinted by a stamp or embosser, or both on the document. The Notary — or a person acting on their behalf — must create an audio-visual recording of the notarization and retain it for at least 7 years.

VIRGINIA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Virginia considered seeking a legislative extension of its electronic notarial law (went into effect in 2012) to witnesses, but the Legislation Committee of the Virginia Bar Association decided against attempting it.
- **Supporting link** Link (<https://law.lis.virginia.gov/vacode/title47.1/chapter1/section47.1-2/>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**

Authentication requirements:

- Personal knowledge
- An antecedent in-person identity proofing process in accordance with the specifications of the Federal Bridge Certification Authority or
- A valid digital certificate accessed by biometric data or by use of an interoperable Personal Identity Verification card that is designed, issued and managed in accordance with the specifications published by the National Institute of Standards and Technology in Federal Information Processing Standards Publication 201-1, "Personal Identity Verification (PIV) of Federal Employees and Contractors."

WASHINGTON

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** Yes (notarization); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** Yes (notarization); no (witnessing)
- **status of remote notary/witness rules/regulations** RON law passed in 2019 was to take effect in October, 2020. Governor issued executive order moving effective date immediately through state of emergency (originally end of April and recently amended to end of May)
- **Supporting link** Link (<http://lawfilesexternal.wa.gov/biennium/2019-20/Htm/Bills/SessionLaws/Senate/5641.SL.htm>)

- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

WASHINGTON DC

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no - DC does not give option to self prove will
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** DC enacted Revised Uniform Law on Notarial Acts in 2018
- **Supporting link** Link (<http://lims.dccouncil.us/Download/38290/B22-0324-SignedAct.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** N/A

WEST VIRGINIA

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **Trust: Allow remote witnessing and/or notary?** yes (notary); no (witnessing)
- **status of remote notary/witness rules/regulations** Executive Order issued March 25, 2020
- **Supporting link** Link (<https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89564>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state**

Note from West Virginia Fellow: I can tell you that the Fellows in the state, myself included, do not think this Order is effective to waive our "notary in person" requirement as to the self-proving affidavit part of our statute based on the authority under that section and because of some very clear case law emanating from our state Supreme Court to the contrary.

Wills do not have to be notarized here to be valid; it is merely the self-proving affidavit part that would require notarization. Plus we recognize holographic wills.

WISCONSIN

- **Does state require will to be witnessed?** yes - 2
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** no
- **Will: Allow remote witnessing and/or notary?** no
- **Trust: Allow remote witnessing and/or notary?** no
- **status of remote notary/witness rules/regulations** Wisconsin Department of Financial Institutions issued Emergency Guidance on Remote Notarization on 3/18/20

- **Supporting link** Link
(http://wdfi.org/Apostilles_Notary_Public_and_Trademarks/pdf/Emergency%20Guidance%20-%20Remote%20Notarization.pdf)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Remote online notarizations must be performed using technology providers that are regulated under standards that meet or exceed the safeguards set by Wisconsin Act 125. DFI has approved four remote online notarization providers thus far: Notarize.com and NotaryCam, which provide remote notary services to the general public, and Pavaso or Nexsys, which provide them for title companies and other real-estate transactions.
On May 4, 2020, the Wisconsin Supreme Court issued an order
(<https://www.wicourts.gov/news/docs/emergencyestateplanning.pdf>) declining a request for an emergency order allowing remote witnessing

WYOMING

- **Does state require will to be witnessed?** yes - 2 (but also allows holographic will to be admitted to probate)
- **Does state require will to be notarized?** no, but must be notarized to be "self-proving"
- **Does state require trust to be notarized?** notarization of trusts only required if transferring real property
- **Will: Allow remote witnessing and/or notary?** Yes - Remote notarization is allowed during emergency period and can be combined with remote witnessing.
- **Trust: Allow remote witnessing and/or notary?** Yes - Remote notarization is allowed during emergency period and can be combined with remote witnessing.
- **status of remote notary/witness rules/regulations** Wyoming Secretary of State issued temporary emergency guidance on its determination that remote online notarizations satisfy the personal appearance requirement under Wyoming law and may be performed by Wyoming notaries during present state of emergency
- **Supporting link** Link (<https://soswy.state.wy.us/Services/Docs/Guidance-on-Temporary-Remote-Online-Notarization.pdf>)
- **Additional information from fellows and other information about remote notary laws and notary services authorized by state** Approved providers are: CSC Global Inc., DocVerify, Figure Technologies (for in-house Figure employees); Jetaxes Information Technovation; Nexsys; Notarize; Notary Cam; Pavaso; SafeDocs; SIGNiX; Simplifile - for IPEN only; World Wide Notary

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[TERMS & CONDITIONS \(/TERMS-AND-CONDITIONS/\)](#)

[PRIVACY POLICY \(/PRIVACY-POLICY/\)](#)

[SITE MAP \(/SITEMAP/\)](#)