



# DISASTER RESPONSE & RECOVERY

A LOUISIANA APPLESEED BULLETIN FOR COMMUNITIES SERVING VULNERABLE POPULATIONS

## REMOTE NOTARIAL ACTS MUST BE RECORDED

*There are many options for video conferencing, however, not all platforms allow for recordings. Be sure your platform allows you to save the recording to your system to comply with the 10 year retention requirement in the proclamation.*

### **FACETIME**

Powered by Apple

*Available for free to iPhone IOS users only*

Recording saves to computer or mobile

### **GOTOMEETING**

Powered by LogMeIn

Video conference recording available through the Business subscription (\$16/mo)

*Free for eligible organizations until June 2020*

Recording saves to a cloud

HIPPA Ready

[LINK](#)

### **HANGOUTS MEET**

Powered by Google

Video conference recording available with the Enterprise subscription (\$25/mo)

*Free until July 1, 2020*

Requires a Gmail account or GSuite

Recording automatically saves to the admin Google Drive and to the calendar event.

[LINK](#)

### **SKYPE**

Free

Video conference recording must be downloaded within 30 days

[LINK](#)

### **ZOOM**

Video conference recording available through the Pro subscription (\$14.99/mo)

Recording saves to a cloud

[LINK](#)



## Changes to Notary Regulations

### PROCLAMATION NUMBER 37 JBE 2020

On March 26, 2020, Governor Edwards made significant changes to the rules governing notaries due to stay-at-home orders and business closures caused by COVID19. Both attorney-notaries and non-attorney notaries are now able to notarize documents remotely and without the presence of the individual requesting the service. This will dramatically impact self-represented litigants, particularly those who seek protective orders, temporary restraining orders, in forma pauperis petitions, or successions. For legal service providers serving low-income and vulnerable communities, the change may be life saving.



The ability to notarize documents remotely carries additional requirements, but will remove obstacles in accessing justice for domestic violence survivors, and families who have lost a loved one during the crisis. The following outlines the new rule promulgated in response to COVID19's impact on justice and is valid until April 13, 2020, unless otherwise extended by a subsequent proclamation by the governor.

- The Notary must 1) have reasonably identified the individual, 2) have directly or indirectly created an audio and visual recording of the notarization that must be retained for 10 years, unless required otherwise, and 3) be able to affix their digital signature in a way that any changes to the signature will be evident.
- Additionally, the proclamation does not extend to the following situations: testaments, trust instruments, donations inter vivos, matrimonial agreements, acts modifying, waiving or extinguishing an obligation of final spousal support, and authentic acts.
- Finally, clerk or other personnel cannot refuse to accept a remotely notarized act based on the lack of an original signature by the notary.

Low-income Individuals and vulnerable populations seeking a notarized document can contact [Acadiana Legal Services](#), [Southeast Louisiana Legal Services](#), Pro Bono Projects, local bar associations, and the [Louisiana State Bar Association](#) for help.

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