

Overview

Michigan amended its notary law in 2018 to be in line with other states that have authorized electronic and remote notarizations (primarily intended for real estate purposes). To do this, the Secretary of State was authorized with the assistance of the Department of Management and Budget to allow vendor systems to be used in Michigan to conduct electronic and remote notarizations.

Additionally, on April 8, 2020, in response to the COVID-19 pandemic, Governor Whitmer instituted the first Executive Order (EO) 2020-41 regarding Remote Notarization further temporarily encouraging the use of electronic signatures and remote notarization, witnessing, and visitation. Additional extending orders were issued on May 5, 2020 (EO 2020-74), June 24, 2020 (EO 2020-131), and July 27, 2020 (EO 2020-158). EO 2020-158 is currently in effect until August 31, 2020 at 11:59 p.m.

During this time, Birmingham Public Schools will accept a **Remote Electronic Notary** submission of required documents with all Bids and Proposals. The Remote Electronic Notary must comply with the requirements of Michigan Law on Notarial Acts, Act 238, Public Acts of Michigan, 2003, as amended (MCL §55.261 et. seq.) as modified by Executive Order 2020-158. If you need to locate a Remote Electronic Notary vendor, please see [SOS Notary Search](#) instructions below. For further explanation, read on.

Notary Basics

What is a traditional/pen and paper notarization?

A traditional/pen and paper notarization is conducted without the aid of electronic or remote notarization software. This is the way all notarizations took place prior to the implementation of electronic and remote notarization methods. The requirements for performing traditional/pen and paper notarizations have not changed.

What is an electronic or e-signature?

While the definition of an electronic or e- signature is quite broad as provided in the Michigan Law on Notarial Acts (MILONA), for our purposes an e-signatures is a process that is attached to or logically associated with a digital representation of one's actual handwritten signature executed by the individual with the intent to sign the record.

How is an electronic signature affixed to a document?

Signatures are attached to the document through the use of a digital certificate also known as a digital signature. The digital signature is attached to the document in a way that is tamper evident (is easily apparent if changes are made to the document).

What is an e-notarization?

An e- notarization is similar to a traditional/pen and paper notarization inasmuch as the signer appears before the notary, except in an electronic notarization the document being notarized is digital and the notary uses electronic signatures. An example of this is signing and initialing at the bank or doctor's office using a stylus and pad.

What is a remote notarization?

A remote notarization is conducted through audio and visual equipment; the signer is not in the physical presence of the notary public. The notarization itself is considered an e-notarization as the document being notarized is digital and the notary uses electronic signatures.

What is the difference between an e-notarization and a remote notarization?

There are a few differences, but the main difference is how the documents are notarized and signed.

In e- notarization, the notarization uses digital signatures but must occur in the physical presence of the notary, similarly to a traditional/pen and paper notarization.

In remote notarization, the person is not in the physical presence of the notary but is present through audio and visual equipment such as a webcam. Electronic signatures are used to complete this process as well.

Do I have to verify my identity as the signee(s)?

Yes, through satisfactory evidence which meets one or more of the conditions below:

- 1) Personally known to the notary public;
- 2) Identified upon the oath or affirmation of a credible witness personally known by the notary public and who personally knows the individual; and/or
- 3) Identified on the basis of a current license, identification card, or record issued by a federal or state government that contains the individual's photograph and signature.

The system/platform used by the notary will also provide an identity proofing and credential analysis process to confirm the identity of the signee(s)

Approved Vendors used by Electronic/Remote Notary Providers:

Because only approved vendor systems can be used in Michigan. A Notary wishing to provide these services must use the vendors below.

- [E-Mortgage Law](#) – Offers electronic notarizations services
- [Nexsys](#) – Offers both electronic and remote notarization services
- [Pavaso](#) – Offers both electronic and remote notarization services
- [NotaryCam](#) - Offers both electronic and remote notarization services
- [Notarize](#) - Offers electronic and remote notarization services

Note: The **Department of State does not provide access, training or dictate costs** of these newly approved systems.

SOS Notary Search

To [search for a Remote Notary provider](https://services2.sos.state.mi.us/notarysearch/), go to <https://services2.sos.state.mi.us/notarysearch/> and input your search criteria.

SOS Home Notary Search Home Online Services Contact SOS MI.gov

Notary Search
Jocelyn Benson, Secretary of State

Notary Search
Please supply the search criteria below.
The more information you supply, the more specific the results.

Last Name:

First Name:

Notary Expiration Date: (month) (year)

Limit Results to Specific County:

Limit Results to: Active Notaries
 E-Notary or Remote Notary

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