

Notarization by Audio Video Conference in New York State

In response to a COVID-19 emergency disaster declaration, New York State Governor, Andrew M. Cuomo, issued an Executive Order pursuant to Section 29-a of Article 2-B of the New York State Executive Law allowing for audio-visual notarizations. The executive order, which remain valid through April 18, 2020, provides for notarizations by audio visual means subject to the following conditions:

1. The person seeking the notary's services, if not personally known to the notary, must present valid photo ID to the notary during the video conference, not merely transmit it prior to or after;
2. The video conference must allow for direct interaction between the person and the notary (e.g. no prerecorded videos of the person signing);
3. The person must affirmatively represent that he or she is physically situated in the state of New York;
4. The person must transmit by fax or electronic means a legible copy of the signed document directly to the notary on the same date it was signed;
5. The notary may notarize the transmitted copy of the document and transmit the same back to the person; and
6. The notary may repeat the notarization of the original signed document as of the date of execution provided the notary receives such original signed document together with the electronically notarized copy within days 30 after the date of execution.

The temporary modification of New York state notarization requirements should greatly assist those in New York state that are in need of a notary's service.



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