



EXHIBIT # 3
DATE Feb 9th
306

NATIONAL NOTARY ASSOCIATION

February 8, 2011

Representative Pat Ingraham, Chair, and Members
of the House State Administration Committee
Montana House of Representatives
P.O. Box 200400
Helena, MT 59620-0400

RE: WHY THE NATIONAL NOTARY ASSOCIATION OPPOSES HOUSE BILL 306

Dear Representative Ingraham and Committee Members:

Reliable protection for consumers and Montana Notaries Public will be jeopardized if House Bill 306 is enacted, repealing the Notary journal requirement that is universally acknowledged as an effective tool to prevent or quickly resolve many baseless lawsuits that clog our courts.

Keeping a minimal record of each official act is a business practice that every responsible public officer must be expected to perform. The Notary's journal provides invaluable physical evidence that:

- Protects the signer and other involved parties in the event the document is lost, challenged or fraudulently altered.
- Deters forgers and imposters who are naturally unwilling to leave a signature in a journal that could incriminate them.
- Discourages groundless lawsuits by showing that a signer appeared before the Notary.
- Assists law enforcement authorities in prosecuting frauds and the Secretary of State in investigating misconduct by Notaries.
- Protects the Notary by showing reasonable care was taken in identifying the signer.

Law enforcement agencies enthusiastically endorse Notary journals because they contain valuable evidence about the document and signer that makes forgeries easier to prosecute. When a document is contested in court, the Notary's testimony becomes critically important in determining whether a signature was forged, coerced or incompetently made.

Without a journal entry to aid the Notary in recalling an event that occurred many years in the past, most Notaries would find it difficult to remember the circumstances of the notarization. The absence of a Notary journal can result in prolonged litigation and unfounded lawsuits.

I urge you to defeat HB 306 and thereby leave in place a time-tested tool for fighting fraud.

Sincerely,

A handwritten signature in cursive script that reads "Michael Robinson".

Michael Robinson
Executive Director