

# NY notaries face new reg

## Non-English notary ads must contain disclaimer

By **TODD ETSHMAN**, with additional reporting by **JOHN CALLEGARI**

The New York Department of State announced a new rule in the Notary Public License Law last week designed to prevent non-English-speaking notaries from misidentifying themselves as attorneys or immigration professionals who can provide legal advice.

The rule requires that advertising for foreign language notaries contain information indicating that the non-attorney notary is not licensed or permitted to practice law or give legal advice.

According to the proposed rule, non-English notary advertising must contain the disclaimer: "I am not an attorney licensed to practice law and may not give legal advice about immigration or any other legal matter or accept fees for legal advice."

The DOS will hear public comment on the rule for 45 days and the rule will become effective three months after the notice of adoption.

"These new regulations will ensure that individuals will not misidentify themselves by clearly stating they are not authorized to practice law or give legal advice," said New York Secretary of State Cesar A. Perales. "Furthermore, anyone who is not playing by the rules will be stripped of their licenses and fined accordingly."

The proposed rule is designed to protect immigrants from the anticipated increase in notary scams as a result of President Barack Obama's granting deferred action status to young immigrants.

In Latin American countries, notaries are attor-

neys, said Dina Elardo, a 14-year notary and founder and CEO of Massapequa-based Notary Public Central, a notary training program.

"They come here, see an advertisement for a notary public and assume you're an attorney," Elardo said.

That's led to a lot of notaries taking advantage of the non-English speaking immigrants who approach them looking for legal help. While Elardo said she's never had a non-English speaking immigrant approach her seeking legal advice, she said she gets all sorts of documents before her to notarize.

Elardo said the Department of Licensing doesn't always notify notaries when there is a change in the law.

"It would be nice if they did send out a mailing to their notaries," she said. "We just have to do a lot of research."

Running a notary test preparation program for notaries, Elardo must be up on such rule changes. Many notaries belong to the National Notary Association, which also provides updated rules and information to help notaries avoid the unauthorized practice of law.

But even if they're told of the new law, notaries may not always be clear about what it means for them. The Department of State has indicated it is the responsibility of the notary to understand any laws that govern their profession.

Still, changes in laws governing notaries don't occur too often.

"Nothing really changes that much, aside from the increase in price they did a few years ago," Elardo said.

The most recent Notary Public Licensing Law is available on the Department of State's website at [www.dos.ny.gov](http://www.dos.ny.gov).

**Etshman writes for sister publication Lawyers USA. Callegari can be reached at [john.callegari@libn.com](mailto:john.callegari@libn.com).**

## BOOKREVIEW

By **THE BOOKWORM**

### THE POWER OF REPUTATION by *Chris Komisarjevsky*



It may be just your imagination, but the phone isn't ring much as it used to.

People aren't coming in the door quite as often, either you're not sure why. Maybe people just don't know enough your business. Or maybe they do know all about it, and that the phone isn't ringing as much.

First impressions count, but so do seventh and twelfth ones. new book "The Power of Reputation" by Chris Komisarjevsky may learn how to protect the best asset you and your business have.

What clients think of you, how they perceive your business how you deal with customers are make-or-break factors in corporations and careers. Building a good reputation is done by heeding three critical components: character, communication and trust.

"The most powerful way to build a successful career is through the strength of your personal character," says Komisarjevsky. Commitment and drive contribute, too, as do passion, loyalty, and judgment.

Give people face time when communicating with the questions and pay attention. "Communicate by example" and to motivate others with your words.

To earn trust, practice humility and be willing to share. Rise above politics, be a good listener, and know how to overcome threats to your reputation.

Sounds pretty basic? Yup, and repetitious, too.

Readers will learn a thing or two, but they'll learn it over and over.

Overall, I think this book might be a nice checklist if you're fierce about your public face, but most good business owners already know what's in here. For them, "The Power of Reputation" just won't ring well.

**The Bookworm is Terri Schlichenmeyer. She lives on a hill in Wisconsin with two dogs and 12,000 books.**