

Massachusetts Legislature Passes Remote Notarization Bill

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In a highly anticipated move, the Massachusetts Legislature passed a bill allowing for remote notarization of important legal documents. This bill is now on Governor Baker's desk waiting for his signature. The bill will temporarily allow notaries and document signers to conduct important legal transactions via video conferences.

This is critical for those wishing to execute estate planning documents. Now notaries, document signers, and witnesses can all come together via a video conference to execute documents. To be valid, the notary, the document signer, and any witnesses must all be physically present in Massachusetts at the time of the signing. The notary must observe each person signing the documents. Anyone signing documents must give the notary satisfactory identification, and the notary must keep copies of the identification for 10 years. After the documents have been signed, they must be sent to the notary via delivery service or courier. The notary must also complete a detailed affidavit regarding the execution and requirements, which must be kept for 10 years.

Notably, any transactions involving mortgages or real estate sales require a second videoconference once the notary receives the documents. In the second videoconference, each signer and witness must verify to the notary that the documents before the notary are the same ones executed during the first videoconference.

The bill will be automatically repealed three business days after Governor



Baker declares the end of the COVID-19 state of emergency.

Once Governor Baker signs the bill, video document signings can begin immediately, which will enable us to provide you with a much needed way to execute your estate planning documents without leaving your home.