

E-Registers Under the e-APP An Update from the United States

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Introductions

- ▶ **Introduction**
 - ▶ Criminal Defense, Charter Schools, Technology
 - ▶ I can't explain myself...
- ▶ **Where it all began**
 - ▶ Philadelphia, Casual Conversation over coffee
 - ▶ A great idea...a lot of work
 - ▶ The motto: *It ain't rocket science!*
- ▶ **US Soccer Team – Moving Ahead! Well, as of yesterday...**
- ▶ **US Competent Authorities – Lagging Behind!**



Current Status

- ▶ **Operational e-Registers among US Competent Authorities**
 - ▶ Kansas
 - ▶ Rhode Island
 - ▶ Texas



Current Status

- ▶ **Competent Authorities without e-Register**
 - ▶ A large number...
 - ▶ 47 +
- ▶ **Why?**
 - ▶ Remember: *It ain't rocket science!*



Benefits

- ▶ Concept of an electronic “register” echoed in the MERS eRegistry, State Departments of Motor Vehicles, etc.
 - ▶ An e-Register provides an effective means to verify the fact that a certification occurred
 - ▶ Increase the speed by which authentications can be validated or verified by relying parties
 - ▶ Provide a more secure and stable audit trail of authentications performed
 - ▶ Increase trust through “transparency”
 - ▶ Help citizens/corporations transact business more efficiently
 - ▶ The problem is not the technology...
-



Hypothesis One - Technology Improperly Implemented Within Context of Convention

- ▶ North Carolina
- ▶ Operational e-Register...almost



North Carolina Secretary of State - Windows Internet Explorer

http://www.secretary.state.nc.us/verification/

rhode island secretary of state

Windows Live Hotmail North Carolina Secretar... X

Page Safety Tools

 North Carolina
Elaine F. Marshall
Secretary
DEPARTMENT OF THE
SECRETARY OF STATE
PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

Date: 6/27/2010

Document Verification Process

Certificates & Orders: Enter the Certification/Document Number from the bottom of the Document

Certificate Number:

Authentications Certificates: Enter the Apostille, Authentication, or Certificate of Authority Number and Date Issued

Apostille Authentication Authority

Number:

Date Issued (MM/DD/YYYY):

Verify

Internet | Protected Mode: On 100%

DOCUMENT VERIFICATION
Verification Home
Corporations Home
UCC Home
Notary Home

CONTACT US
Corporations Division
Authentication Division

TOOLS
Secretary of State Home
Secretary of State Site Map
Printable Page

Hypothesis One - Technology Improperly Implemented Within Context of Convention

► Fishing Expeditions

Authentications Certificates: Enter the Apostille, Authentication, or Certificate of Authority Number and Date Issued

Apostille

Authentication

Authority

Number:

Date Issued
(MM/DD/YYYY):

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Hypothesis One - Technology Improperly Implemented Within Context of Convention

► Fishing Expeditions

Authentications Certificates: Enter the Apostille, Authentication, or Certificate of Authority Number and Date Issued

Apostille

Authentication

Authority

Number:

Date Issued
(MM/DD/YYYY):

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Hypothesis Two - The Sorry State of “Registers” in the United States

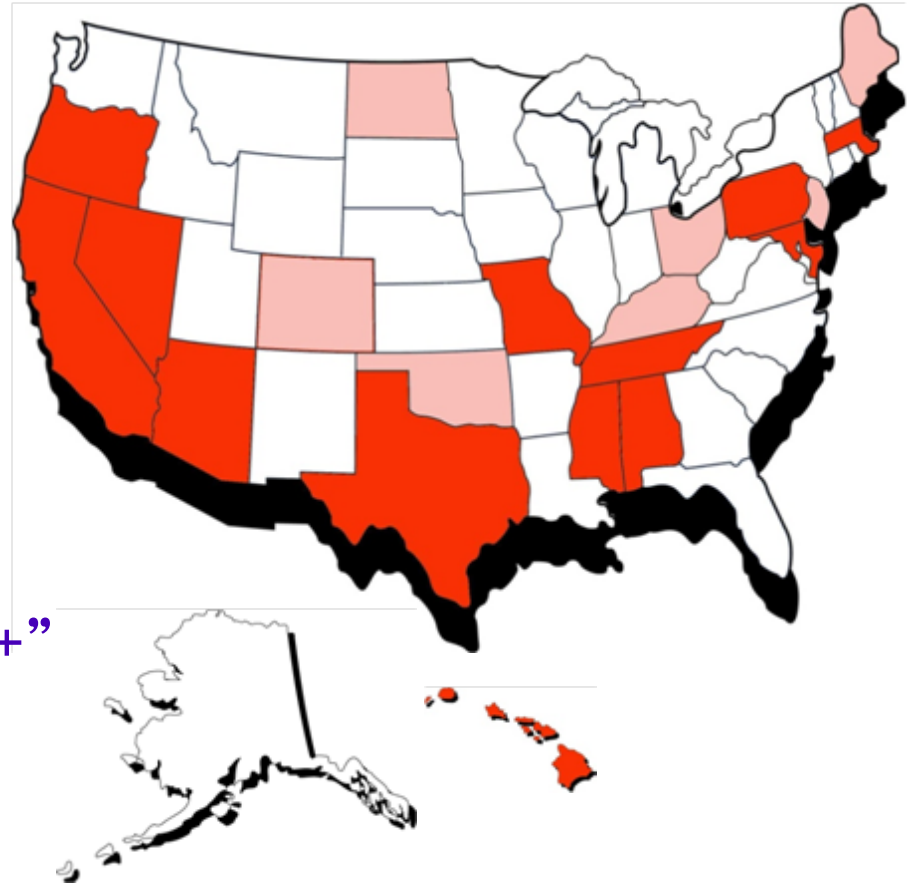
- ▶ **William Aspinwall, MA Bay Colony (1652)**
 - ▶ “The bookes are mine own, bought at my owne chardge & register therein my owne voluntary & handy worke, and as propley mine as any thing I possess is mine.”
- ▶ **Oakland County District Attorney’s Office**
 - ▶ “I lost it in the ocean...”
 - ▶ **Criminal defense!**



Notary Register Requirements

-  Required for notarial acts
-  Required for 1+ notarial acts

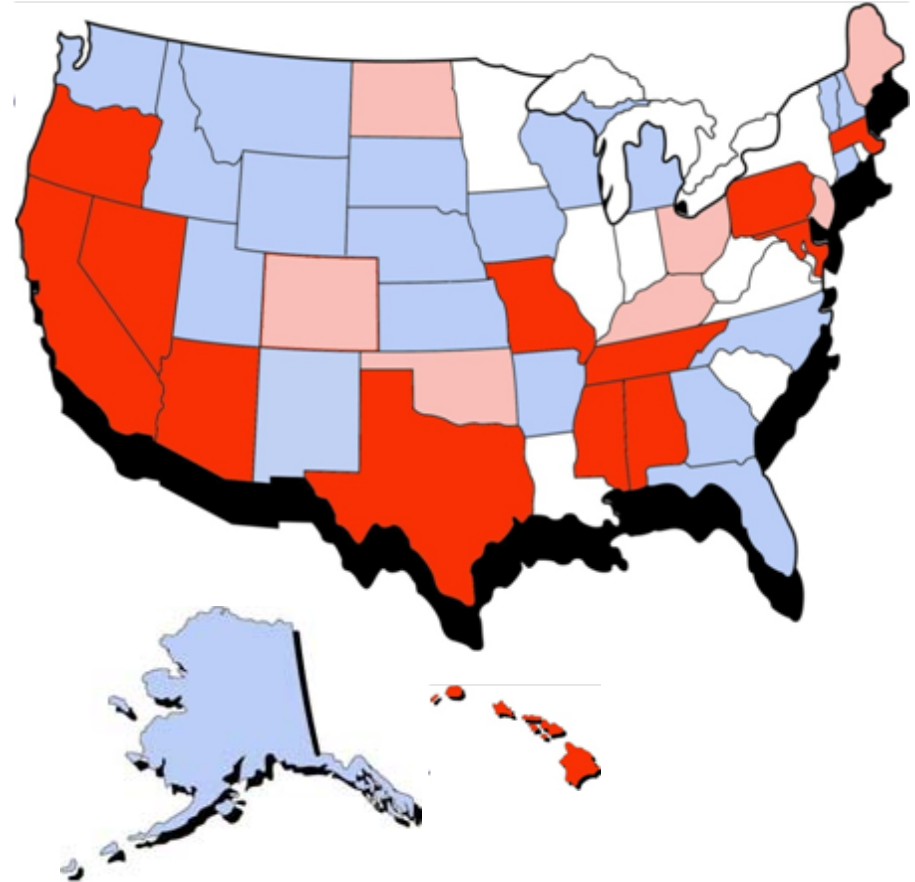
13 Required
7 Required for “1+”



Best Practice

- Required for all notarial acts
- Required for 1+ notarial acts
- Recommended practice

Total: 47 states, territories and jurisdictions

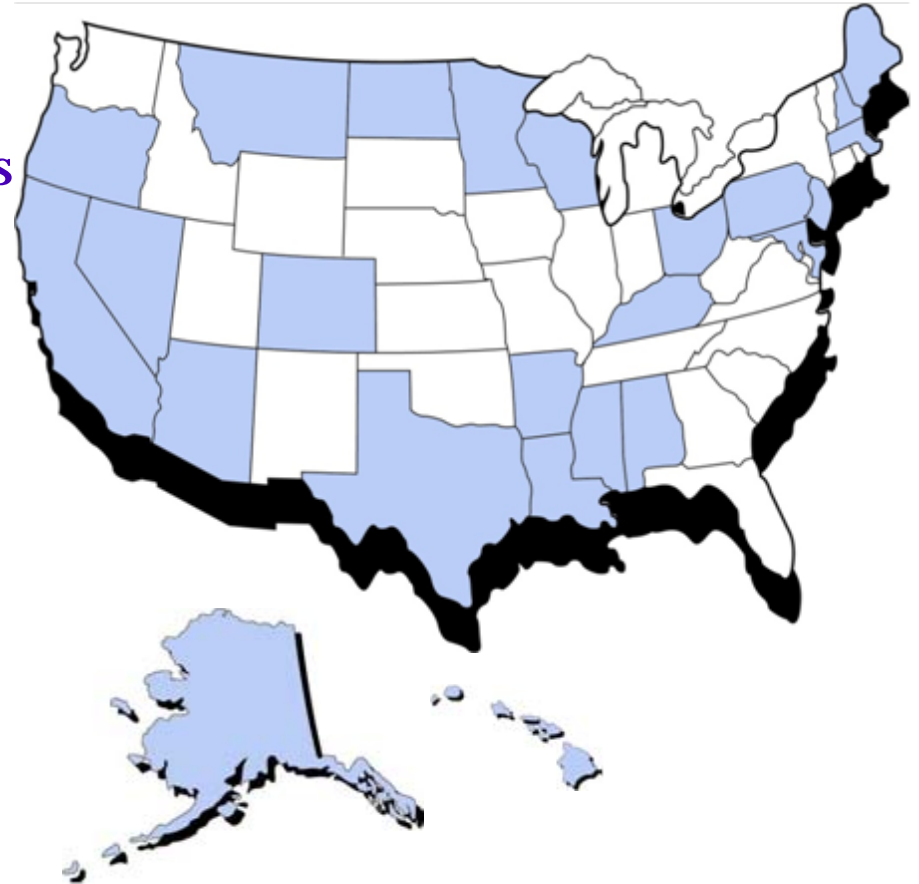


Archival and Disposition

 States with archival or disposition laws

* AK, AR, MN, NH, NJ, and WI do not require journal, but require disposition of records.

Total: 29 states, territories and jurisdictions



e-Register Announcements

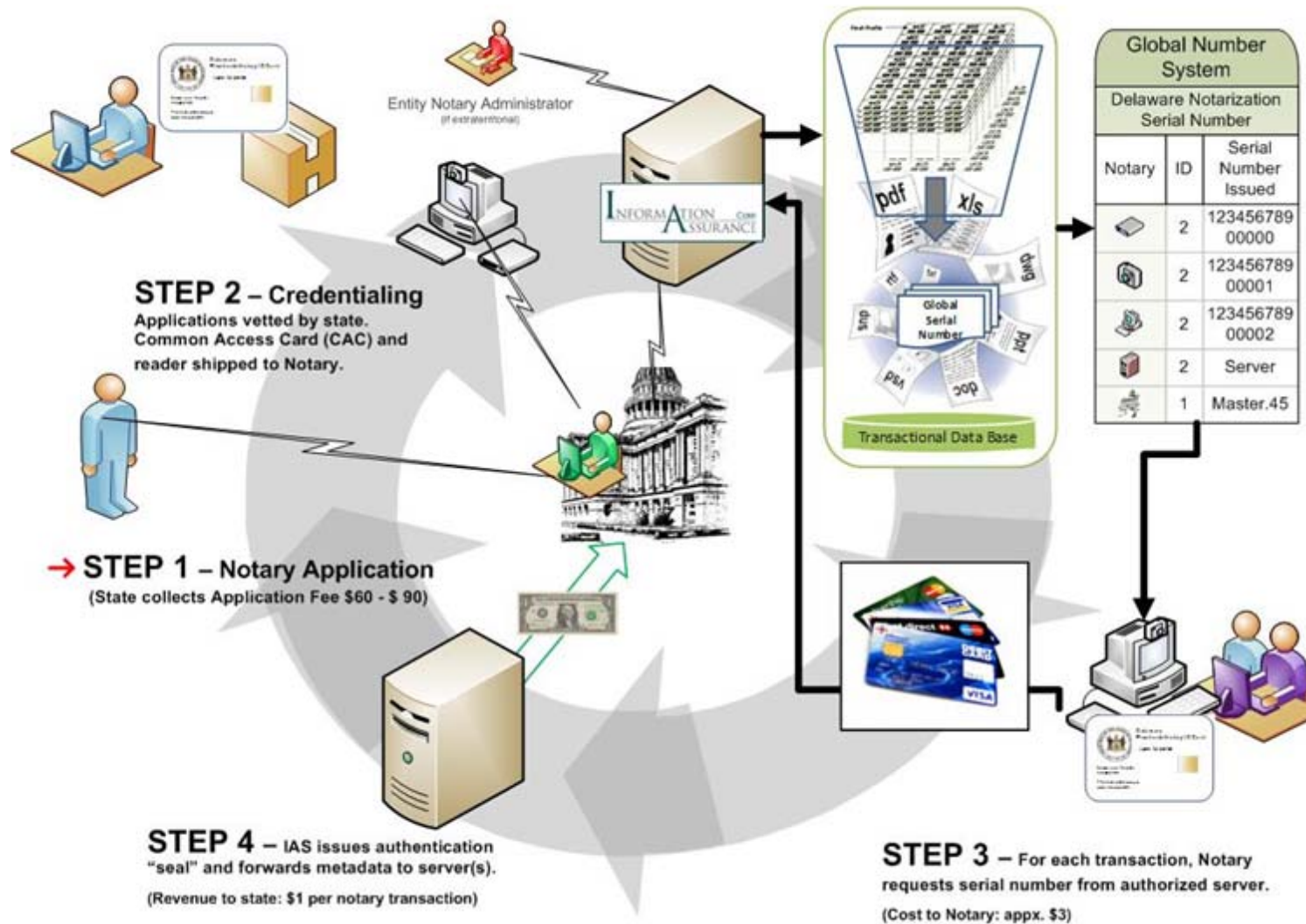
- ▶ **North Carolina – underway**
- ▶ **Pennsylvania – we are hopeful for implementation this year**
- ▶ **Virginia – we are hopeful for implementation early next year**
- ▶ **Minnesota – we are hopeful for implementation early next year**



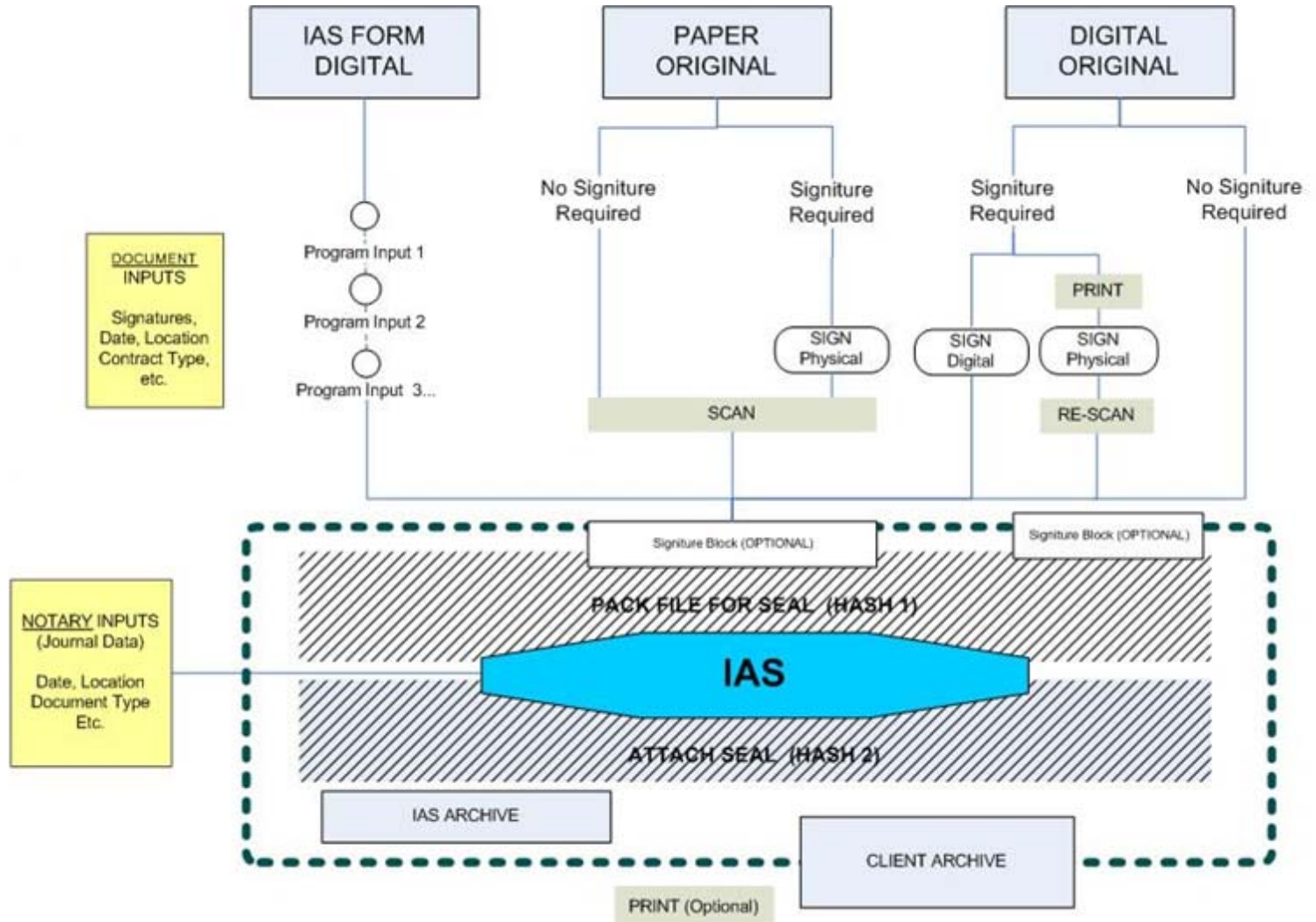
Delaware!



Delaware's Global eNotary Platform



Delaware's Global eNotary Platform



Delaware's XML Architecture

DE Notary Site for Jim Dacorus

Document Properties

Title	Power of Attorney
Submitted By	Lawyer
Requested By	Lawyer
Submitted Date	3/15/2010
Upload Date	3/15/2010
Document State	DE
Must be Recorded	<input checked="" type="checkbox"/>
Document Category	1
Notary Certificate Type	Attest Copy
Client Name	Bob Smith
Client City	Wilmington
Client County	New Castle
Client State	DE
Item Description	PoA
Requires Electronic Signature	<input checked="" type="checkbox"/>
Requires State COA	<input checked="" type="checkbox"/>

Delaware

- ▶ **eRegister and eApostilles built and being tested through end of July 2010**
- ▶ **eRegister – Live in August 2010**
- ▶ **eApostilles – Live by end of 2010**



Thank you!

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