

**Public Policy Position**  
**Remote Notary/Witness Legislation in Concept**

The Elder Law & Disability Rights Section is a voluntary membership section of the State Bar of Michigan, comprised of 1,163 members. The Elder Law & Disability Rights Section is not the State Bar of Michigan and the position expressed herein is that of the Elder Law & Disability Rights Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Elder Law & Disability Rights Section has a public policy decision-making body with 20 members. On June 6, 2020, the Section adopted its position after a discussion and vote at a scheduled meeting. 18 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 2 members did not vote.

**Support**

**Explanation:**

ELDRS Council adopts a public policy position that supports in concept legislation that:

- (a) Ratifies acts of notarization and witnessing made under Executive Orders 2020-41 and 2020-74, as well as those that were intended to have complied with those orders;
- (b) Allows remote witnessing of legal documents under EPIC; and,
- (c) Allows remote notarization by individuals using an "other audio and visual communication technology" in addition to a "remote electronic notarization platform" approved under section 26b of the Michigan Law on Notarial Acts, by amending Michigan's current law on notarial acts.

The approved motion includes a grant of authority to the chair of the Legislative Committee, Christopher Smith, and/or the co-chair of joint workgroup, Howard Collens, to work with our lobbyist and the Bills' sponsors to modify, or approve modifications to, the final proposed Bills in accordance with the position taken by Council, outlined above.

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