

ELDER LAW REVIEW

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Tips When Notarizing for Elderly Signers

From the National Notary Association

Older signers often have medical, physical or personal challenges that can make it more difficult to complete a notarization for them. But the following tips can help make notarizing for a senior proceed more smoothly.

1. **Choose a time when the signer is most relaxed and coherent.** Try to arrange the appointment with family members or caregivers ahead of time, to ensure that you don't show up when the signer is agitated, tired, or otherwise in distress. The signer's attention should be focused on you and on the task at hand.
2. **Make small talk.** Having a short conversation with the signer can help not only put him or her at ease; it can also help you gauge the patient's awareness. Ask questions about the patient's interests, current events, or any other topics that require some measure of understanding in order to respond.
3. **Explain yourself.** While it is never your job to offer advice, you should take the time to explain your role as a third-party witness to the document transaction, and that it is your job to properly identify the signers and make sure they know what it is they are signing. Having a clear understanding about the process can help ease the signer's anxiety.
4. **Seek clarification.** A good way of gauging a signer's awareness is to simply have them repeat back to you what it is they are signing. If they are unable to do so, this may be a sign that they are not aware, and simply going through the motions.
5. **Observe the signer's surrounding.** If the patient's family or caregivers are present, be on the look-out for any signs that might indicate that they are coercing the patient to sign the paperwork, especially if they have any vested interest in the documents being signed, such as a financial power of attorney.

In some cases, just taking the time introducing yourself and explaining your role as a Notary first may help put an older signer at ease. However, if you have reasonable doubt concerning the signer's awareness and willingness, you should halt notarization at once and record in your journal the reason for stopping the notarization.

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