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An Update From Bodman PLC

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May 2020

New Executive Order Extends Remote Notarization and Witnessing

On May 5, 2020 Governor Whitmer extended the essence of the Executive Order 2020-41 remote/electronic witnessing, issuing new updated Executive Order 2020-74 covering remote notarization and witnessing as a result of the CoVid-19 virus pandemic. A link to updated Executive Order 2020-74 is set forth below. Important changes are: (1) remote notarization and witnessing is extended to June 30, 2020, and (2) the former requirement that a completely notarized document be returned the signatory by the notary has been extended from one day to 72 hours.

It is also becoming apparent that remote execution platforms such as “Doc-U-Sign” are being assimilated into business practices so that parties with access to such platforms may have an ability to complete the entire notarization and execution process electronically. For instance the Secretary of State is accepting applications for the Independent Citizen’s Redistricting Commission which are completed remotely and electronically without any “wet” signatures. And on April 23, 2020 the Michigan Electronic Recording Commission approved a new set of Electronic Records Standards facilitating electronic execution and E-recording. After the current crisis recedes the familiarity developed with remote notarization and witnessing during the crisis hints that these methods could become more widely accepted. Bodman, PLC has access to such technology and can provide remote document execution services to our clients if the need arises.

- [Executive Order 2020-74](#)
- [Michigan Electronic Recording Commission Standards adopted April 23, 2020](#)

For more information, please contact your Bodman attorney or Greg Gamalski at (248) 743-6036 or ggamalski@bodmanlaw.com. Bodman cannot respond to your questions or receive information from you without first clearing potential conflicts with other clients. Thank you for your patience and understanding.