



CCM COVID-19 ALERT

April 7, 2020

Clingen Callow & McLean, LLC

Executing Documents During the Covid-19 Shut Down

On March 26th, Governor Pritzker issued an Executive Order to facilitate witnessing and notarizing of legal documents in Illinois during the Gubernatorial Disaster Proclamation (the "Shutdown"). It permits remote notarizing of documents and witnessing of wills and other documents needing witnesses by two-way audio-video technology, provided that both the client executing the document and the Illinois notary or witness are both physically located within the State of Illinois at the time. The Governor's Executive Order can be accessed [here](#).

Any notarization of a document by a notary commissioned under the laws of Illinois must comply with the guidance posted on the Secretary of State's website. The guidelines are [here](#).

CCM employees are able to notarize and witness our clients' documents by following the requirements in the Executive Order and the Guidance on the Secretary of State's website. In order to execute your documents in this manner, you will have to schedule a video conference appointment with us in advance. You will need to have the following:

- Smartphone or a computer with a camera;
- Zoom (this is an application that may be downloaded from the App Store on your smartphone or at www.zoom.us to download onto a computer); and
- Access to a scanner, printer, or fax machine.

You will need to have the full document in your possession. We can arrange to send you a package with execution-ready documents by Federal Express.

To have a document notarized, you must sign the document during a two-way, real time audio-video conference that allows for direct interaction (visual and audio) between the notary or witness and the signer. The connection must be sufficient for the notary to examine the credentials (e.g., driver's license) offered by the signer. The communication must be recorded, and the recording must be kept for at least three years (CCM can store it for you).

During the signing, you will need to do the following:

- State that you are physically in Illinois (the witness/es or notary will need to state the same);
- State the name of the document that you are signing;
- Show each page to the witness/es or notary on the two-way audio-video and initial each page;
- Clearly sign the document so that the witness/es or notary can see you sign and see your signature; and
- After signing, document needs to be emailed or faxed to the witness/notary for their signature.

If you prefer not to use the remote signing procedure, you can execute your documents using detailed instructions that we can provide, along with documents tabbed to indicate where each needs to be signed, witnessed,

and/or notarized. Depending on the documents, you will need to have a notary and up to two adult witnesses available who are not related to you, nor named in the documents.

We would be happy to assist you with updating your estate planning documents and getting them properly executed during the Shutdown. Please remember that you need to schedule these transactions with us in advance (by emailing us or calling 630/871-2600) so that we can arrange for delivery of the documents to you and, for remote signings, have the necessary personnel and technology available.

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