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April 13, 2020

Rep. Aaron Michlewitz, Chair
House Committee on Ways & Means
State House, Room 243
Boston, MA 02133

Senator Michael Rodrigues, Chair
Senate Committee on Ways & Means
State House, Room 212
Boston, MA 02133

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Dear Chairs Michlewitz and Rodrigues,

As President of the Boston Bar Association (BBA), a volunteer organization of 13,000 members drawn from private practice, corporations, government agencies, legal-aid organizations, the courts, and law schools, I write to thank you and your colleagues for addressing the issue of temporarily authorizing remote notarization and witnessing.

We have heard from BBA members across a variety of practice areas—including real estate, family law, trusts and estates, and bankruptcy—that their work is being hindered, and clients' urgent needs left unaddressed, by the requirement that notarization and witnessing be conducted in person. It is especially unfortunate that, at a time when health concerns, if not actual illness, have led many to focus on their estate planning, quarantine orders and self-isolation are complicating and often preventing the execution of the necessary legal documents to achieve their goals.

I know that there is draft legislation that has been proposed by the Real Estate Bar Association in coordination with the Massachusetts chapter of the National Academy of Elder Law Attorneys and other organizations whose members specialize in probate law, elder law and estate planning in Massachusetts. Together, they represent a cross-section of stakeholders who have been affected by the lack of legal authority to perform notarial acts that are not entirely in person. I want to convey the BBA's full support for their efforts and for the bill they have produced.

The current inability to properly notarize and witness documents has affected different practice areas in different ways, but the new draft bill is a compromise that reflects input from practitioners in each of these areas. The BBA urges the

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Senate and House to act quickly to fill this unmet need.

I thank you in advance for the Legislature's attention to this important issue. I understand that the state of emergency has also caused great disruption to your work, hampering your own ability to act, but the BBA, and the Massachusetts bar as a whole, would greatly appreciate any resolution that allows for remote notarization and witnessing on an emergency temporary basis. To that end, I offer our assistance if the BBA can be helpful in any way.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christine Netski". The signature is fluid and cursive, with a long horizontal stroke at the end.

Christine Netski
President

cc: Sen. Jamie Eldridge, Judiciary Committee Co-Chair
Rep. Claire Cronin, Judiciary Committee Co-Chair