



AMERICAN SOCIETY OF NOTARIES

Identifying the Signer

“Also-known-as (AKA),” “now-known-as (NKA)” and “formerly-known-as (FKA)” methods of signing one’s name are all used when a signer’s name as it appears on the document differs somewhat from his/her name as it appears on a satisfactory form of identification such as a driver’s license. When these discrepancies occur, common sense and a few rules of thumb can help notaries determine which form of signature applies.

The consensus of opinion is that no additional, corroborative form of identification is needed if the signer’s name on the document is a logical variation that is LESS specific than the signer’s name on his/her identification document. For example, signer’s name on the document is John Doe and the signer’s identification document reads John A. Doe. The item presented for positive identification contains even more detail about the name than the document—the notary may feel satisfied that John Doe and John A. Doe is the same person.

“Also-Known-As (AKA)”

Sometimes the signer’s name as it appears on the document is similar, but MORE specific than it appears on his/her identification document. When this occurs, you must attempt to corroborate the less-specific name variation found on the identification document before proceeding. For example:

- Signer’s name on the document is John A. Doe
- Signer’s name on driver’s license is John Doe
- Signer’s true name MIGHT be John B. Doe, John C. Doe, etc.—notary must require corroborating evidence that John A. Doe and John Doe is one and the same person.

In this situation, you can ask if the signer has another primary identification document, such as a U.S. passport, military ID card, etc., that contains the John A. Doe name variation. Lacking that, check a secondary document or card (an item that is NOT suitable by itself for positive identification) in order to corroborate the John A. Doe name variation that appears on the document. For example:

- Signer’s name on the document is John A. Doe
- Driver’s license (primary ID document) shows name as John Doe (actual identity could be John B. Doe, John C. Doe, etc.)
- Credit card (for corroborative purposes ONLY, NOT to be used as sole identification document) shows name as John A. Doe. (Also see section on Affidavits later in this article.)

Once you are satisfied that John A. Doe and John Doe is the same person, the signer will sign the document “John A. Doe AKA John Doe.” Your notarial certificate will also display the signer’s name in this manner. Carefully record how you identified the signer in your recordbook entry.

“Now-Known-As (NKA)”

On occasion, a signer—frequently female—will have changed her name entirely. The document that is the subject of notarization will display the signer’s former name, while the signer’s identification document displays her new name. For example:

- Signer’s name on the document is Jane Alice Conrad, which is Jane’s previous name

- Signer's name on her identification document is Jane Conrad Doe; Jane updated her identification documents to reflect her new name.

In this situation, you must see valid evidence of the legal transition from Jane's former name to her new one to prove that the two names belong to the same person. Only an official document (marriage license, divorce decree, adoption papers, etc.) from the proper governmental entity is sufficient to explain such a name change. Once you are satisfied that Jane Alice Conrad and Jane Conrad Doe is the same person, Jane will sign the document "Jane Alice Conrad, NKA Jane Conrad Doe." Your notarial certificate will also display the signer's name in this manner. Carefully record how you identified the signer in your recordbook entry.

“Formerly-Known-As (FKA)”

Again, this situation usually applies to a woman whose name has changed (due to her marital status, although other reasons such as adoption can exist). The document presented to the notary displays the signer's new name, but the signer's identification documents display her former name. For example:

- Signer's name on the document is Jane Conrad Doe, Jane's new name.
- Signer's name on her identification document is Jane Alice Conrad; Jane has not yet updated her identification documents to reflect her new name.

As with our AKA example above, you must be presented with valid evidence of the legal transition from Jane's former name to her new one to prove that the two names belong to the same person. Only an official document (marriage license, divorce decree, adoption papers, etc.) from the proper governmental entity will do. Once you are satisfied that Jane Conrad Doe and Jane Alice Conrad is the same person, Jane will sign the document "Jane Conrad Doe, FKA Jane Alice Conrad." Your notarial certificate will also display the signer's name in this manner. Carefully record how you identified the signer in your recordbook entry.

AKA, NKA, FKA Affidavits

In some situations it may be appropriate to accept the signer's affidavit that he or she has an AKA, NKA or FKA name variation. ASN cautions notaries, however, to exercise great care with this option. "Name" affidavits are widely abused as a matter of convenience when sloppy document preparation results in a mismatch between the signer's name on the document and the signer's proper name as reflected in his/her identification documents.

Keep in mind that with a "name" affidavit, the signer is swearing under oath that he/she is or was known by a particular name variation. Your signer must not be coerced into swearing this oath merely because a typo, for example, resulted in a completely incorrect name appearing on the document. The only proper thing to do is have the signer take the document(s) back to the preparer for correction.

A far more valid use of a name affidavit occurs when the affiant is simply swearing that he/she is known by various, logical variations of his or her legal name. For example:

- Signer's legal name is John A. Doe
- Signer is known variously as J. A. Doe, Jack Doe, J. Doe, Jack A. Doe. All are logical variations of the signer's name that have been utilized throughout the signer's life.

Protect Yourself!

Always insist on the proper evidence for corroborating AKA, NKA and FKA names, and you'll avoid possible liability for failure to properly identify your signers. •