

Surviving Bureaucracy

CACEO Annual Conference

Pacific Palms Resort

County Clerk Session

July 16, 2009



PANEL MEMBERS:

County Clerk

Gina Alcomendras, Santa Clara County Clerk-Recorder

Gina Alcomendras is the Santa Clara County Clerk-Recorder since 2006. She is responsible for overall management of this 74-member office through eight divisions that provide direct customer service, technical, clerical, and administrative support. She provides the overall policy development and direction of the entire Clerk-Recorder's Office. Gina also serves as co-chair of the Santa Clara County Archives Committee, and is responsible in overseeing the operations and programs under the County Archivist. She is also Emergency Facility Manager of the County Government Center Building in San Jose.

Gina is currently an officer of the County Recordors' Association of California, serving as its secretary. She is also a member of the Board of Directors of the California Association of Clerks and Election Officials. She is an active participant in several committees in these organizations, such as Legislative Committee, Certification and Training Committee (co-chair), and the Clerks' Reference Manual Committee (co-chair).

Gina was the Santa Clara County Assistant Clerk-Recorder for six years and was responsible for managing the day-to-day operations of the office. In this role she was also responsible for resolution of customer service issues; establishing and revising processes and procedures; ensuring compliance with federal and local laws, and standard accounting practices; setting and achieving production and customer service goals; resolving personnel issues and ensuring consistent hiring practices. She also managed special projects, such as archival book restoration, and the development of the Clerk-Recorder's Office Disaster Recovery Master Plan.

Before coming to Santa Clara County, she served as the Administrative Manager for the Alameda County Clerk-Recorder's Office. In her twelve years there, her duties included managing the Recording Division, Accounting Division and Administrative Support Division.

Gina holds a combined degree in Management and Industrial Engineering. She is currently pursuing a Master's Degree in Business Administration from Holy Names University.

Vicki Petersen, Chief Deputy County Clerk, Sonoma County

Vicki Petersen has worked for the Sonoma County Clerk's Office for over 23 years, and is the Chief Deputy County Clerk responsible for the overall operation of the County Clerk Division. She is an active member of California Association of Clerks and Election Officials (CACEO) and co-chair of the Association's County Clerk Legislative Committee, having served as a member for over 14 years. She is currently co-chair of the County Clerk Reference Manual Committee, and as a member of the Vision Group, she also chaired the committees for the legislative revisions of the statutes pertaining to Marriage Licenses and Fictitious Business Name Statements.

Department of Fish and Game

Cristen Langner

Habitat Conservation Planning Branch, CEQA Program

I am Cristen Langner, with the California Department of Fish and Game's Habitat Conservation Planning Branch. I have worked for the Department for more than 10 years, first as a Scientific Aide, while I was going to school for my biology degree, and now as an Environmental Scientist in the CEQA Program. As part of the CEQA program, it is my duty to review and evaluate current Department policies and procedures regarding the California Environmental Quality Act (CEQA) and make changes as necessary, as well as formulate new policies and procedures when a need arises. These policies and procedures are aimed at promoting consistency among the Fish and Game Regions as well as local public agencies.

For questions concerning the Departments' CEQA policy, please contact either me, or Jeb Bjerke at 916-651-0603 or at CEQA@dfg.ca.gov. Types of questions that the CEQA program would field include clarification regarding when filing fees are due on different types of documents, requests for refund, and clarification on Fish and Game Code and Regulations.

For questions regarding the Departments' accounting procedures please contact Ms. Lydia Reynolds in our Accounting Services Branch at 916-653-2585. Types of questions the Accounting Services Branch would field include clarification on submitting receipts, money, and TC-31's to the Department.

Department of Motor Vehicles

Brenda O'Donnell, Manager IV

Driver Licensing Policy

Brenda has worked for the Department of Motor Vehicles since 1989, as an Auditor, Policy Analyst and Policy Section Manager. She currently manages a staff of Policy Analysts in the Driver Licensing Policy Section of the Licensing Operations Division who are responsible complex policy development, legislative analysis, and program evaluation related to driver license and identification card security, legal presence, social security verification, gender change, Fraud, and includes input on policy changes related to the implementation of the Real ID Act.

Department of Public Health – Office of Vital Records

Tony Agurto, Chief of CHS, Health Information & Strategic Planning, CDPH

Tony Agurto is the Chief of the Center for Health Statistics (CHS), Health Information and Strategic Planning, California Department of Public Health.

Tony has been in civil service management positions since 1984, with county mental health services, county alcohol and drug programs, and state government. He has been with the Department of Public Health (formerly Department of Health Services) for over eight years and has been in state service for 20 years. Tony's Department of Public Health positions include Assistant Branch Chief, Primary and Rural Health Care; Assistant Division Chief, Environmental and Occupational Disease Control; Assistant Division Chief, Food, Drug, and Radiation Safety; and was appointed to his current position as Chief of the Center for Health Statistics on August 2008.

Tony has in-depth understanding of public administration and state governmental processes in addition to experience with customer service processes required to support service delivery.

Tony holds masters' degrees in Public Administration, Hospital Administration, and Health Care Services from Golden Gate University. His bachelor's degree is from the University of California at Riverside.

Secretary of State – Notary Public Division

Alicia Stewart, Manager

Alicia Stewart has worked for the California Secretary of State's office since 1980. She started working in the Notary Public & Special Filings Section in November 1991, originally as Assistant Chief and now as the Manager. She also has responsibility for trademarks, service marks, special filings, the Domestic Partners Registry and the Advance Health Care Directive Registry.

Social Security Administration

Mariana Gitomer, Public Information Officer

Mariana Gitomer is the Public Information Officer for the Social Security Administration (SSA) in Los Angeles. She is responsible for all public information regarding the programs administered by the Social Security Administration. She is the primary liaison with the community and the media for issues related to Social Security. Mariana conducts seminars on all issues related to Social Security benefits and services.

Mariana has a Bachelor degree in History from California State University, Long Beach and a Masters and Candidate in Philosophy Degree in History from University of California Los Angeles.

United States Citizenship & Immigration Services (USCIS)

Martha Flores, Chief of Staff, District 23

Martha Flores entered on duty as the Chief of Staff for District 23 of USCIS in October, 2007. Prior to her position, she served as the Acting Deputy District Director for the Los Angeles District Office, as well as many other managerial positions throughout her career. Ms. Flores has worked for USCIS and its predecessor agency, the Immigration and Naturalization Service, since 1982.

GENERAL QUESTIONS FOR ALL AGENCIES

1. **How has the budget affected your agency? Have you had to make cuts, and if so, how has it impacted your ability to provide services to your customers?**
 - **Department of Motor Vehicles (DMV)** - Like most state agencies, DMV is coping with furlough days; a few impacts are longer lines, delays in processing, decreases in outreach.
 - **Department of Public Health – Office of Vital Records** - The budget issues have had significant impact on internal operations. Although State Registrar's Office has been able to maintain external customer service, the most recent changes, including increased furlough days, may affect that as well.
 - **Social Security Administration** - SSA is actually in pretty good budget situation this year. We have been able to do some new hiring to replace staff nearing retirement age.
 - **United States Citizenship & Immigration Services (USCIS)** - More than 90% of the USCIS budget is funded through fees collected from immigration benefit applications and petitions. These fees have ensured an appropriate level of funding to meet customer service needs. In addition, USCIS is participating in the DHS Efficiency Review initiated in March 2009 by DHS Secretary Napolitano. The goal of the efficiency review is to cut costs while streamlining operations.

GENERAL QUESTIONS FOR ALL AGENCIES Con't

2. **Our panel is comprised of representatives from the following agencies: Department of Fish & Game, Department of Motor Vehicles, Department of Public Health – Office of Vital Records; Secretary of State – Notary Public Division; Social Security Administration and United States Citizenship & Immigration Services (USCIS). Recognizing that the County Clerk is your common denominator, to each member of the panel, how do you interact with each other?**

- **Department of Motor Vehicles (DMV)** - One of DMV's chief verifications for issuing a driver license or identification card (DL/ID) is the verification of an applicant's Social Security Number (SSN) through the Social Security Administration. Only non-immigrants who are in the country legally, but not authorized to work are allowed not to have a SSN. DMV verifies applicant's legal presence status with the Department of Homeland Security and tries the expiration date of the DL/ID to expiration of the applicant's permission to be in the country. DMV interacts with the Department of Health required records by using birth certificates to establish true full name, birth date, and legal presence, marriage licenses to change a name, death certificates to indicate that the record holder is deceased. DMV depends on county clerks to certify notary publics who DMV uses or relies on to notarize documents.
- **Department of Public Health – Office of Vital Records** - The State Registrar's Office works with SSA, DMV, and INS on a variety of projects. Some of those projects include: NANA (Newborn Automatic Number Assignment) and EDRS (Electronic Death Registration System) with SSA; VISION meetings and DMV; additionally, the State Registrar's Office assists INS with investigations on suspected fraudulent records.
- **Social Security Administration** - With OVR and the County Clerks, in the area of obtaining vital statistics records for both claims and SSN assignment. With DHS, principally in verifying immigration documents, SSA has almost no dealings with Fish and Game.
- **United States Citizenship & Immigration Services (USCIS)** - USCIS works closely with Social Security as a partner in the E-Verify program, which verifies a new employee's eligibility for employment. USCIS also works with Social Security to determine if immigration applicants have received unauthorized benefits. USCIS works closely with the California DMV in verifying immigration status through the Systematic Alien Verification for Entitlements Program (SAVE) program. USCIS rarely interacts with either Fish & Game or the CA Department of Public Health.

GENERAL QUESTIONS FOR ALL AGENCIES Con't

3. **What steps does your agency take to mitigate inconsistencies within your agency?**
- **Department of Motor Vehicles (DMV)** - DMV provides its staff standardized procedures in manuals, memos, and basic and ongoing training.
 - **Department of Public Health – Office of Vital Records** - The State Registrar's Office has a variety of manuals used by local jurisdictions and external staff. Updates are provided through All County Letters. When new issues arise they are incorporated into the handbooks.
 - **Social Security Administration** - We publish national policy and procedural instructions on an internal website accessible to all employees. Also, our Regional Offices are available to answer questions from our field offices by phone and e-mail.
 - **United States Citizenship & Immigration Services (USCIS)** - To ensure consistency through the agency, USCIS publishes policy and procedure in manuals, handbooks, and policy memos. These documents are available to all staff through our intranet. Updates are communicated through agency-wide broadcast announcements on a daily basis.
4. **We receive requests from your agencies to verify birth records. The agency faxes a copy of the birth certificate to our office and we call the agency to confirm the record. Is it possible for you to include an "inside" phone line on your fax cover sheet for us to contact you? Providing us with the general phone line requires our call to go into the queue for ten or more minutes. With staff shortages, we are unable to be on hold for that long.**
- **Department of Motor Vehicles (DMV)** - DMV is able to provide an "inside" number on faxes. We can send a memo to staff to remind that to include a non-public contact number.
 - **Social Security Administration** - This would be a good idea—we can issue a reminder to field offices which use a fax verification process. (Not all counties are willing to verify for us by fax or otherwise). We are moving toward procedures for on-line verification at the State level.
 - **United States Citizenship & Immigration Services (USCIS)** - USCIS does not have one consistent method by which to verify birth records. Our officers fax, phone, and e-mail with county clerks and staff – using both general and person-specific contact information. Would it be possible to document a preferred method of communication with the county clerk staffs, and provide USCIS with an updated list of contacts in these county offices?

GENERAL QUESTIONS FOR ALL AGENCIES Con't

5. **Does your office confirm that the information in the new name fields on marriage licenses meet state requirements? Do you reject requests to change a name if it appears there is an error in the new name field? Does your office allow a person to change their name if the new name is not entered in the new name fields on the marriage license?**
- **Department of Motor Vehicles (DMV)** - DMV accepts the name in the new name field as registered by the recording agency. DMV relies on the recording agency to determine if the name meets the state requirements. We do not reject the name if there appears to be an error. If the person does not want the name entered on the marriage license they are instructed to go to court and have their name changed.
 - **Social Security Administration** - We have published a legal precedent opinion informing field offices and other components of the new California name requirements, but have issued no instructions calling for our field offices to second-guess the clerk in determining whether the name chosen on the license is a permissible option under California law. Other than the precedent opinion, we have issued nothing specifically reminding field offices that the new name on the license is the legal name for California marriages beginning 1/1/09.
 - **United States Citizenship & Immigration Services (USCIS)** - USCIS rejects requests to name changes if it appears there is an error in the new name field. USCIS will not allow a person to change their name if the new name is not entered in the new name fields on the marriage license. Please note: New citizens may change their name at the time of judicial naturalization to the name of their choice.

AGENCY SPECIFIC QUESTIONS

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF)

1. **A problem arose regarding the requirement for bottlers/crushers to file Fictitious Business Name Statements for their use of the vineyard's labels resulting in two registrants with the same name, which to the lay person, might look like the business name was sold to the most recent registrant. Why is this required by your agency and are you planning to resolve the issue.**
 - Vicki contacted the ATF and was advised that their office no longer handles bottling and labeling. She was referred to TTB.gov and has sent an e-mail to Alcohol, Tobacco, Tax & Trade Bureau asking for a response to this question. The response will be sent out via clerknet when it's received.

COUNTY CLERK

1. **Update on Clerks Reference Manual**

- The County Clerk's Reference Manual Committee has completed the following sections of the CRM:
 - Fictitious Business Name Statements
 - Process Server
 - Professional Photocopier
 - Legal Document Assistant
 - Unlawful Detainer Assistant
- We have partially completed Fish & Game CEQA filings, and Oaths of Office. The Committee hopes to have the CRM completed by January 2010, however, due to budget constraints in most counties, we made a change in the meeting structure and only meet in person every other month while meeting via conference call on the other months.

DEPARTMENT OF FISH & GAME

1. **Is the \$1,993 fee due when the mitigated negative declaration is submitted, or only when the notice of determination is submitted?**

- Environmental filing fees are due at the time the Notice of Determination (NOD) is filed. Project applicants may pay the fee before filing the NOD, but they must show the previously paid receipt for the same project when filing the NOD.

2. **Will the Dept. of Fish & Game be able to come out with corresponding receipts at the same time the new fees are initiated?**

- Yes, new receipts are generated every year and sent out before the new year begins. The receipt is also available on-line at <http://www.dfg.ca.gov/licensing/pdf/files/fg753.5a.pdf> and will be updated with new fee information before the calendar year begins. Our revised internal procedures ensure that new receipts will be available no later than the end of November.

DEPARTMENT OF FISH & GAME Con't

3. The County Clerk's Reference manual includes Clerk procedures for processing Fish & Game CEQA notices. Is the Dept. of Fish & Game interested in referencing this fact in their procedures so that their office and counties know it's available?

- The Department of Fish & Game is unaware of a County Clerk's Reference manual. The policy and procedure for collecting environmental filing fees, as outlined by the Department of Fish & Game, is found in the California Code of Regulations, Title 14, Division 1, Subdivision 3, Chapter 4, Section 753.5 et al. The Department's CEQA program will be adding these regulations and procedures to our public website for reference in the near future. Adding a link or reference to the County Clerk's Reference manual could be made on our website (after review by the Department for consistency with regulations), but those procedures do not supersede the procedure outlined in the California Code of Regulations, as cited above, or Fish and Game Code 711.4.

4. The Fish & Game Code says that only one fee shall be paid for each project unless the project is tiered or phased. If a document is being presented for filing with a receipt from a previous filing that has a different Project Title - but the State Clearinghouse Number is the same - should we accept the fee as "paid", or should we require a new payment?

- When the State Clearinghouse number is the same, it is considered the same project, but additional documents can be generated for the same project. What Fish & Game Code section 711.4 (g) actually states is that "Only one filing fee shall be paid for each project unless the project is tiered or phased, or separate environmental documents are required."
- The regulations implementing this code section are interpreted by the Department of Fish & Game to mean that Addenda are not considered "separate" environmental documents. Addenda are intended to clarify the original document (CEQA Guidelines Section 15164(b)) and should contain only minor changes; therefore, no fee is due for those. Separate environmental documents that do require payment of an additional fee include EIRs, Negative Declarations, Subsequent EIRs and Negative Declarations, and Supplemental EIRs. The difference is the amount of information being disclosed. These separate environmental documents may contain almost as much information as the original document and may require significant Departmental review. Please see the California Code of Regulations, Title 14, Chapter 3, Section 15160 through 15179.5 for a listing of the different types of environmental documents.

DEPARTMENT OF FISH & GAME Con't

5. The 9 month filing requirement - is it okay to toss the documents before 9 months have passed if the documents have been scanned?

- The requirement under the California Code of Regulations, Title 14, Section 753.5 (e)(10)(A) through (E) has changed to 12 months, but I am uncertain as to whether a scanned copy would suffice, or if the hard copy is needed. I have tried to contact the head of our Audits Branch for clarification on this, but he is on vacation for the next couple of weeks. When he returns, I will e-mail an answer to the conference organizers, who can distribute it to you.

6. Is there a time limit on when a Fish & Game fee can be previously paid? (For instance, if the original filing was in 1997, and they have the receipt showing payment and they come in with another filing that they say is the same project in 2009...do we take their word for it, or must we confirm it is the same project?) Is it typical a project could go on for several years?

- There is no actual time limit for what can be considered the same project. Large development projects can and do occur over several years, so it is not unusual to see filings occur over a long period of time. The California Environmental Quality Act (CEQA) is a self-executing statute, which means all lead agencies are themselves responsible for complying with the Act. Therefore, there is no alternative but to accept the lead agency's word that the two filings are for the same project beyond checking for the same project name and State Clearinghouse number.

DEPARTMENT OF FISH & GAME Con't

- 7. At least one county in the State experienced receiving a bounced check for the filing fee. This is a first time for both the Department of Fish and Game and a county office. This occurrence may be more frequent under the current economic conditions. Since the filing fee is a pass-through account, what steps do you advise counties to take if this was to occur?**
- If a bounced check is received by a County Clerk, the following procedure should be followed:
 - The County Clerk should try to contact the applicant and attempt to collect the CEQA Document filing fee and county administrative fee, if applicable. Please inform the applicant that the project is not operative, vested, or final, and local government permits for the project are not valid until the filing fee is paid (See section 711.4(c)(3) of the Fish and Game Code).
 - If the County is unable to collect the CEQA document filing fee directly from the applicant, the Department's Accounting Services Branch should be contacted. The County may contact Lydia Reynolds at 916-653-2585.
 - The County should submit the cash receipt issued to the applicant, the notice of determination, all associated paperwork, and the applicant's current contact information to the Department as soon as possible. If the paperwork associated with the bounced check is sent with monthly receipts, it should be clearly flagged. Any discrepancies on monthly reporting summaries should be clearly indicated and fully explained.
 - Once the paperwork has sent to the Department, the County should cease trying to collect the CEQA Document Filing Fee. The Department will pursue collection of the unpaid CEQA Document Filing Fee using standard procedure pursuant to Title 14 section 753.5(h) of the California Code of Regulations. A lien may be placed on the subject property if necessary. The County may continue to pursue its administrative fee as the Department is unable to collect those fees.

DEPARTMENT OF MOTOR VEHICLES (DMV)

1. **We have experienced inconsistencies in DMV offices accepting the new name shown on a marriage license. Some offices accept them, and some do not. Does DMV have a policy that all offices follow regarding whether or not they will allow a person to change their name using the marriage license? What steps has DMV taken to ensure the new law is applied consistently?**
 - DMV conducted training for all field office and telephone service center representative and issued memos to all of its employees instructing them in how to process a name change using the new marriage license and reiterating the acceptance of marriage licenses issued before 1/1/09. The memo states DMV's policy which is if there is no new name entered in the new name field the applicant's name was not changed upon marriage. If there is a new name entered in the field that is the name that the department will accept as the new name. DMV does not accept altered documents. Unfortunately, with a staff of 5,500 in field offices and telephone service centers mistakes do happen.

2. **Under what circumstances does DMV issue a thermal print temporary photo ID? Is this discretionary within each field office?**
 - DMV policy is to issue the thermal print temporary photo ID when a person applies for a driver license and has not completed all of the required testing.

3. **Does your office provide written instructions for persons wishing to change their name? If so, can we obtain a copy?**
 - Information for changing your name can be found on the DMV website located at www.dmv.ca.gov under Driver License Renewals, Duplicates, and Changes. Also, information can be found in DMV's Birth Date/Legal Presence and True Full Name Fast Facts (FFDL 5).

4. **We get a lot of questions regarding name changes when a couple gets married. At the moment the only info we offer is to go to Social Security before going to DMV. Does your agency have something we could provide to the couple instructing them how to go about changing their name?**
 - County Clerks could provide the Birth Date/Legal Presence and True Full Name Fast Facts (FFDL 5). The fast facts are available by contacting the DMV warehouse at (916) 928-7901.

DEPARTMENT OF PUBLIC HEALTH – OFFICE OF VITAL RECORDS

- 1. If someone wants to change their name after the marriage license has been issued and sent to the State, can it be changed using an amendment?**
 - Amendments are not accepted to change a name.

- 2. What is the turn around time when a county sends a marriage license to OVR that must be rejected due to an error in the new name field?**
 - Timeliness of turnaround has been slow and this has been identified as an issue. The State Registrar's Office is working on improving timeliness.

- 3. What is being done to give VRIRSA access to LRDs that have other LRDs within their county boundaries (i.e., Berkeley within Alameda County, Pasadena within Los Angeles County)?**
 - VRIRSA staff are working with impacted counties to address the access issue.

- 4. When the marriage forms changed with the overlay, one county office did not receive a 'hard copy' supply. They will be issuing duplicate licenses until Oct. 2009 using the Oct. 2008 version of the forms. Can OVR send their office a supply of the forms from Oct. 2008 that already have the overlay so that they don't have to maintain a dual system until then?**
 - The State Registrar will supply additional hard copy forms upon request. Please contact your county analyst.

- 5. A marriage license was sent to OVR requesting that it be rejected and returned with directions to issue a duplicate. There seemed to be confusion at OVR on how to handle this error. How should this type of error be handled?**
 - Thank you for bringing this to our attention. Processes to address these types of issues are being developed and implemented.

- 6. When our analyst is not available their message usually says to call another analyst. Is there a way to know who to call without just going through the list of analyst? Around the holidays usually there is more than one person out and it might take 3 or four calls to get to someone who is there.**
 - Thank you for bringing this to our attention. Action is being taken to address this.

SECRETARY OF STATE – NOTARY PUBLIC DIVISION

1. **Has there been any progress on creating a system whereby the County Clerk can forward images of the Notary Oath to the SOS in lieu of paper copies?**
 - We think electronically transmitting notary public oaths to the Secretary of State is a good idea; however, with our current electronic system it would not be cost effective at this time. We would like to revisit this proposal once one of our other automation projects is completed.

2. **Can a notary place their seal on a form that has been executed by a person if that form does not contain the acknowledgment or jurat language? Or, must the notary attach a separate form containing the acknowledgment or jurat language and place their stamp on the separate form?**
 - No, a notary public cannot place their seal on a form that does not contain the acknowledgment or jurat language.
 - Yes, a California notary public must use a properly worded acknowledgment (Civil Code section 1189) or jurat (Government Code section 8202) for all notarial acts. The properly worded form can be attached to the document and the stamp must be affixed on the certificate.

3. **Does the SOS have a FAQ for the Notary Division that answers questions related to the requirements for change of names, change of address, changes in signatures during the term of their commission, etc. that they could share with County Clerks?**
 - Yes. The FAQ's for notaries public can be found on the Secretary of State's website at www.sos.ca.gov/business/notary/notary_faq.htm or in the Notary Public Handbook that can also be viewed on our website at www.sos.ca.gov/business/notary/forms/handbook.pdf
 - The law does not provide for notaries public to change their signatures during their commission term. If a notary public wants to change their signature, the notary public would need to resign the commission and obtain a new commission following all the requirements, including taking an approved education course, passing the exam (if it has been more than a year since their previous successful exam), fingerprints, etc.

4. **Does your office provide written instructions for persons wishing to change their name? If so, can we obtain a copy for distribution to customers?**
 - Information on notary public name changes can be found in the Notary Public Handbook under Government Code section 8213.6. The Notary Public Name Change form can be found on the Secretary of State's website at:
www.sos.ca.gov/business/notary/forms/notary_name_chg_app_7-3.pdf. There is information concerning the process for a name change in the Common Questions and Answers section in the Notary Public Handbook that can be viewed on our website at:
www.sos.ca.gov/business/notary/forms/handbook.pdf

SECRETARY OF STATE – NOTARY PUBLIC DIVISION Con't

5. **A notary absolutely would not place her seal on the DS-3053 but only on an attached notary acknowledgement; she said the notary manual said she could not. She would also not sign the DS-3053 where indicated. We called several notaries and all of them said they would not put their signature or seal on the actual form only on the attached notary acknowledgement. Is this statewide or just our county? Is the notary really not able to apply her seal and signature to the form or is she misunderstanding her duties?**
- A California notary public is not permitted to place their seal or signature on a document that does not contain the proper wording as required by current notarial law. A notary public must use a properly worded acknowledgment (Civil Code section 1189) or jurat (Government Code section 8202) for all notarial acts. A properly worded acknowledgment or jurat can be attached to the document.
 - DS-3053 does not contain notarial language so the notaries are correct in refusing to sign and affix their seal on the DS-3053.
6. **If a notary who is required to turn in her journal, has torn the journal into pieces, are we required to accept and keep it for ten years even though there's no way any of the entries can be verified?**
- This is a question that should be brought to your county counsel. Government Code section 8209 states in part...all notarial records and papers shall be delivered to the clerk of the county in which the notary public's current official oath of office is on file; therefore, this is a question that should be addressed by each county.

SOCIAL SECURITY ADMINISTRATION

1. **We get a lot of questions regarding name changes when a couple gets married. At the moment the only info we offer is to go to Social Security before going to DMV. Does your agency have something we could provide to the couple instructing them how to go about changing their name?**
 - There is some information on documents for a name change on our website at <http://www.socialsecurity.gov/pubs/10120.html#docs>
 - The information sheet on the SSN card application (Form SS-5) indicates that the legal name must be used, but does not go into detail as to what constitutes a legal name.

2. **Why are some offices changing a person's name on the card and then telling them to come to the county clerk's office to update their new names and information on the marriage license?**
 - We were unaware that some of our offices are doing this. We'd like to hear about specific instances so we can discuss the practice with the SSA field offices involved.

UNITED STATES CITIZENSHIP & IMMIGRATION SERVICES (USCIS)

1. **Do you accept the Matricula Consular as valid government issued proof of identity?**
 - Yes, USCIS will accept the Matricula Consular as proof of identity.