



The Geography of Notaries Public

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Ancient and medieval societies developed the functions of notaries public to prepare and authenticate legal documents. Even with adjustments to their roles under new legal contexts—and more recently, advances in technology—notaries remain important to everyday transactions and life events.

This brief examines the geography of notaries with an eye toward documenting disparities of access across and within states, as these trends have not previously been documented. We find evidence of wide variation in notaries across states, which likely reflects both state policy features and social and economic factors. Similarly, we find significant variation in proximity to notaries *within* states in ways that map onto other access divides in the United States. Most notably, rural areas have less access to notaries than urban ones; areas with higher unemployment and higher poverty rates have less access to notaries than do prosperous ones; and areas with greater racial and ethnic diversity also have less access.

Background

Notaries are often a necessary aspect of everyday civil and legal proceedings and transactions involving important documents. In the United States, notaries are public officials of their commissioning states. Each state regulates the qualifications to become a notary, the procedures notaries must follow, and the powers with which notaries are endowed. State statutes and regulations also determine which documents legally require notarization.

Notaries are, in the US context, chiefly charged with confirming the identity of the document's signer. They need to ensure the people signing the document are indeed who they claim to be, with the intent of deterring fraud and imbuing the transaction or document with heightened trust. While they do provide a legal service, a notary properly using their authority is not practicing law, unlike a lawyer or judge (although lawyers and judges are often notaries public by virtue of their position). Documents that require notarization vary by state, but common examples include those for mortgage and property transfers when buying or selling a home, leasing a property, incorporating a business or nonprofit, creating a will or trust, establishing an executor, creating a power of attorney, setting up an advanced directive, and creating a guardianship or custody agreement. Notaries generally have flexibility in the fees they charge for their services. Most but not all states establish maximum fees for different notarial acts. While some reach up to \$25, most are limited at \$5 or \$10.

All states allow notaries to notarize documents intended for use in other states as long as they do so in their commissioning state. A few states have reciprocal agreements, wherein a notary in one state can also work in a nearby one. Traditionally, individuals were required to physically appear before a notary to obtain a notarization. However, remote online notarization (referred to as “RON”) has recently emerged as an option, with Virginia first allowing notarizations for individuals appearing virtually in 2012. As of early 2023, 43 states and the District of Columbia allow notaries to perform remote notarization. Remote online notarization retains all of the fundamental aspects of in-person notarization but in a remote setting: the party or parties must assemble live, the party or parties must be properly identified by the notary, and the notarial act is performed with the required notarial information applied to the document. The key difference is that the parties use a teleconferencing platform rather than meeting in person.

Data Sources

As many notaries still function in person, we sought to examine the geographic distribution of notaries as a way of gaining insight into access barriers. We attempted to obtain data from those who regulate notaries in a state, often the state's secretary of state. We were able to successfully access these records for more than one-third of states (20). Although we report summary information for the 20 states, just 16 provided us with detailed geographic data, so our spatial analysis is just for this subset. The 16 states represent approximately 43 percent of people in the United States. Reasons for not accessing state notary data or geographic data include states not responding to our inquiries, a prohibitive cost for accessing records, lack of detailed geographic information about notaries, and unwillingness to share detailed geographic information about notaries.

We do not know the extent to which the findings in this brief can be generalized nationwide. Among the 16 states, however, we do have broad geographic coverage from Alaska to Florida to Maine to California. Our subset includes the three most populous states (California, Texas, and Florida) and four of the least populous (Vermont, Alaska, North Dakota, and the District of Columbia). We have a mix of highly urbanized states such as Connecticut and highly rural ones such as Montana. We also have states with a mix of economic bases and political make-up.

Secretary of state notary data typically included the notary's name and their business and/or personal address. We limited notaries only to those whose address was in the state where they are licensed to work. (A very small share of notaries—less than 1 percent—have a personal or business address in a state other than where they are licensed.) When both the notary's business and personal addresses were available, we geocoded business addresses; where only one field was available, we assumed that the address corresponded to the place of business for the notary, which could be a residential address. Records for which we could not accurately geocode addresses were dropped, representing approximately 11 percent of the full sample. We next identified the number of notaries in each census tract.

To understand how notaries related to social and economic factors, we joined data from the Census Bureau's 2015–2019 American Community Survey (ACS), Rural-Urban Commuting Area (RUCA) codes, and Longitudinal Employer-Household Dynamics (LEHD) survey. From these sources, we obtained census tract-level estimates of population, employment, poverty, race/ethnicity, and urbanicity. Using census tract identifiers, we joined these secondary data with the state notary data.

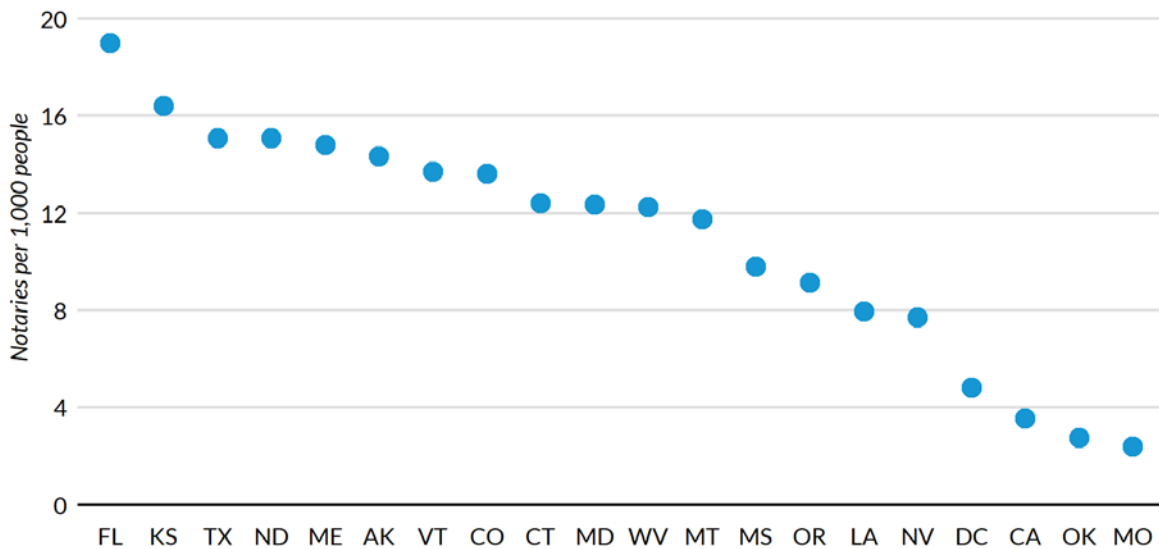
Prevalence of Notaries across States

The number of notaries varies substantially both between and within states. Figure 1 depicts the number of notaries per 1,000 people in each state. The spread is dramatic—among states for which we have data, the state with the highest prevalence has nearly eight times the number of notaries per capita as the state with the least. The highpoint is Florida, with 19.0 notaries for every 1,000 people in the state. Kansas (16.4), Texas (15.1), North Dakota (15.1), and Maine (14.8) also have high numbers of notaries per 1,000 people.

At the other end, Missouri has the fewest notaries per capita for the states in our sample, with just 2.4 notaries per 1,000 people. Oklahoma and Washington, DC, are also low, with 2.7 notaries per 1,000 people and 4.8 notaries per 1,000 people, respectively. California, despite being the largest state by population, has one of the lowest rates of notaries per capita at 3.5 per 1,000 people.

There is no correlation between state population and notaries per capita for the states we observed. So, while larger states tend to have more notaries in total, notaries per capita is not related to overall population and may be dependent on other factors such as the state's policy environment, licensing requirements, demand for services, and the broader economy.

FIGURE 1
Notaries per 1,000 People by State



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Source: Secretary of State data; US Census Bureau 2021 population estimates.

Note: State notary counts are current as of data receipt, between February 2022 and May 2022.

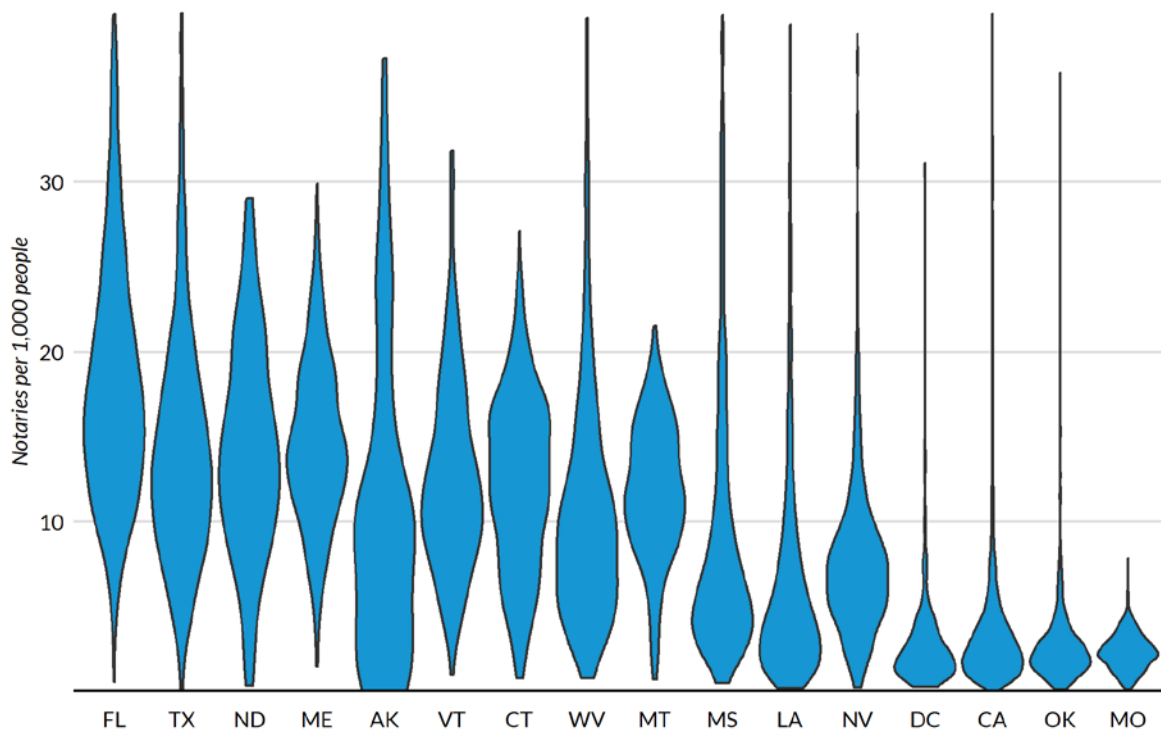
Distribution of Notaries within States

Although the total number of notaries per capita varies across states, there is also a high degree of variation within states. Figure 2 depicts the distribution of notaries per 1,000 people at the census tract level, grouped by state. These violin plots are useful for understanding the distribution of data: the curves represent the number of notaries per capita in a tract. Where the curve is wide, there are more tracts with that number of notaries per capita, and where it is narrow, there are fewer.¹ For example, the plot for Nevada is wide in the 5–8 range, indicating that there are many tracts in the state with that number of notaries per capita. The Nevada plot tapers both above and below that range, indicating fewer tracts. We have cut off the plots at 40 notaries per capita; however, some states have a small handful of tracts (less than 1 percent) outside that limit.

The implication of figure 2 is clear. While a resident may live in a state with a high number of notaries, they may not live in a neighborhood with a high number of notaries. Knowing which state someone lives in helps predict their access to a notary, but that is not the full story. Consider that some neighborhoods in Florida—the state with the highest number of notaries per capita in this study—have accessibility figures on par with states with the fewest notaries per capita. Put another way, simply living in a state with a high number of notaries is not necessarily indicative of a high number of notaries in a given tract within that state.

The variance of notaries per capita across tracts within states is also not uniform. Take, for example, Texas and Montana. While the median notaries are not far apart, the distribution of notaries in Montana is much narrower, i.e., most tracts are closer to the median. Variation in access to notaries in Texas is quite large at the neighborhood level. This is perhaps not surprising, as Texas is a large and diverse state, yet Alaska actually has the widest variation of any state in our study. The states with the lowest medians had the least variation, as would be expected.

FIGURE 2
Distribution of Notaries per 1,000 People across Census Tracts by State



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Sources: Secretary of State data; US Census Bureau 2015–2019 American Community Survey.

Note: State notary counts are current as of data receipt, between February 2022 and May 2022.

Local Trends in Notary Proximity

Finding that the number of notaries per capita varies substantially between and within states, we seek to understand what social and economic forces might be associated with notary access and whether notaries are more likely to be concentrated in certain census tracts. While we do not disentangle whether disparities are due to differences in supply and demand or attempt to determine the causality of those disparities, our analysis highlights the opportunity to better understand how access to notaries is associated with other trends.

In table 1, we explore the number of notaries per capita across different demographic variables by state. For each state, as well as for the entire dataset, we calculate the average of notaries per capita in tracts according to different characteristics including poverty rate, unemployment, urbanicity, and race/ethnicity. For states where the category is not met for any tracts, we report “N/A.” While the subsets of tracts vary in size, the samples are large enough to produce averages that are not overly sensitive to outliers.

Looking across all states, notaries are more prevalent in low-poverty and low-unemployment census tracts. Notaries are also more prevalent in urbanized areas. To a lesser degree, notaries are concentrated in majority-white and majority-Hispanic tracts. Across all states, the average number of notaries per capita in the lowest-poverty tracts is more than twice that of the highest-poverty tracts. Likewise, on average, neighborhoods with low unemployment have nearly two times the notaries per capita than do high-poverty neighborhoods. These patterns are reflected in many, though not all, states.

Again, the variation between and within states is apparent. While there are generally more notaries per capita in lower-poverty areas, the lowest-poverty tracts in Missouri have far fewer notaries than the highest-poverty tracts in Florida, for instance. Some states vary dramatically across demographic characteristics, while others do not. The lowest-poverty tracts in Nevada have 1.4 percent times the number of notaries per capita than the highest-poverty tracts in the state. Conversely, that difference is 2.3 times in Texas and 2.6 times in Connecticut. California stands out as especially inequitable; the lowest-poverty tracts in the state have 7.3 times the notaries per capita of the highest-poverty tracts.

Without data to indicate notary demand, it is difficult to determine whether disparities in notary access, as measured by notaries per capita in a census tract, are a consequence of a reduced need for notarial services or a true lack of access. The role of notary times of business or accessibility by transportation systems on the use of notaries is also unclear. In other words, being in the same neighborhood as a notary may not be enough to guarantee access.

TABLE 1
Average Notaries per 1,000 People by Census Tract Characteristics and State

State	Poverty			Unemployment			Geography		Majority race/ethnicity			
	>20%	5-20%	<5%	>8%	4-8%	<4%	Urban	Rural	Black	Hispanic	White	None
All states	11.0	11.7	23.4	8.2	9.7	15.5	14.1	9.8	11.5	14.4	14.2	11.2
Alaska	10.1	29.8	11.0	12.7	12.5	40.9	34.6	13.7	N/A	N/A	27.3	17.7
California	3.4	4.0	24.9	3.6	3.3	10.9	8.2	2.3	4.5	13.7	4.7	6.1
Connecticut	5.6	12.8	14.6	6.8	11.6	13.6	12.3	14.0	8.3	5.7	14.0	8.9
District of Columbia	2.7	9.1	17.8	1.9	12.6	9.3	8.6	N/A	2.2	N/A	19.4	2.5
Florida	19.5	21.9	21.6	17.6	20.0	22.0	21.3	19.5	17.8	22.2	21.1	23.2
Louisiana	11.7	8.2	11.3	8.8	6.6	12.0	11.0	5.1	9.3	11.0	10.4	8.7
Maine	11.8	14.9	16.4	N/A	11.8	15.1	16.0	14.8	N/A	N/A	14.6	11.9
Mississippi	13.0	10.0	26.9	11.0	13.5	11.9	16.4	9.4	13.3	N/A	11.3	14.9
Missouri	1.8	2.5	2.9	1.8	2.0	2.5	2.5	2.1	1.8	1.4	2.5	1.7
Montana	9.0	12.3	13.9	5.0	9.6	12.4	12.7	12.6	N/A	N/A	12.2	4.9
Nevada	6.3	9.7	8.6	8.3	7.4	11.4	10.0	6.5	3.7	5.0	12.0	8.4
North Dakota	7.0	14.3	18.1	3.7	10.0	14.8	16.6	15.2	N/A	N/A	14.8	3.2
Oklahoma	18.0	2.9	5.7	11.4	2.5	9.7	10.8	2.6	3.0	1.8	9.1	2.7
Texas	15.4	17.3	35.7	12.7	14.5	21.8	20.7	12.9	15.8	13.8	25.2	17.5
Vermont	9.9	14.0	14.9	N/A	10.5	14.1	17.4	14.8	N/A	N/A	13.8	N/A
West Virginia	19.5	11.4	10.4	11.6	18.8	12.5	15.4	13.7	11.6	N/A	14.5	N/A

Sources: Secretary of State data; US Census Bureau 2015–2019 American Community Survey.

Note: State notary counts are current as of data receipt, between February 2022 and May 2022.

Conclusion

In this brief, we conducted a geographic analysis of notaries across 16 states, incorporating census tract-level data to understand disparities in access. This research represents a first foray into the spatial dimension of notaries, an important aspect of civil and legal proceedings. Three key takeaways emerged from this investigation:

- The number of notaries per capita varies substantially at both the state and neighborhood levels. Likely emerging from state policy and economic features, access to and use of notary services is far from consistent across the county. The potential consequences of this disparity have yet to be fully understood.
- Notaries are more likely to be concentrated in urbanized areas and in areas with less poverty and greater employment. Additional research is needed to examine the causal relationships behind this pattern and its implications.
- There is clearly more work to be done to understand notaries. Better data could uncover the supply and demand forces that shape notary access. The effects of specific state-level policies and regulations have not been quantified either.

Notes

¹ For this visualization, we scale the width of the plots to all be equal, rather than according to the number of observations (as is sometimes used) or the area of the distribution.

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