

## COVER STORY

# Strategic Alliances Strengthen Notaries' Interests Around the World



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*Standing, from left: Peter Lawson and Ken Sherk  
Seated, from left: Wayne Braid and Angel Marrero*

### In Conversation with Val Wilson

**T**ogether at The Society's Fall Conference 2003 at Whistler, BC, these prominent leaders talk about their profession and their lives.

- **Angel Marrero**, Vice President (Americas) of the Union of International Notaries
- **Wayne Braid**, CEO of The Society of Notaries Public of BC and Executive Officer of The Notary Foundation
- **Peter Lawson**, Past President of the Notaries Society of England
- **Ken Sherk**, Second Vice President of The Society of Notaries Public of BC

*The Scrivener: Good afternoon, gentlemen. Thanks so much for taking the time to chat for a few minutes. I plan to ask questions to be answered by each of you in turn. May we start with you, Angel? Where were you born and raised?*

**Angel:** I was born and raised in Puerto Rico, a small and beautiful island in the Caribbean.

**The Scrivener: Wayne?**

**Wayne:** In Weyburn, Saskatchewan.

**Peter:** North of England.

**Ken:** I am a rare bird—born and raised on the North Shore. Somehow I have been able to bring my family up in the same place I was raised. On top of that, I get to work in the same community!

**The Scrivener: As a youngster, what did you want to be when you grew up?**

**Angel:** I always wanted to be a pilot. In fact, I still do. Then opportunities and challenges pulled me in new directions.

**Wayne:** I wanted to be a farmer.

**Peter:** A research chemist.

**Ken:** I was always interested in International Affairs.

**The Scrivener: What events and people helped shape you? Did you have mentors?**

**Angel:** Life has always been a challenge for me, a challenge to be the best that I could be. I have had many mentors, people I have looked up to and admired. These people have guided me and helped me become the person I am today.

**Wayne:** In a busy environment, it's easy to become distracted by an overabundance of projects. I have mentors and a "personal coach" person who's great at keeping me focused through "the reality check."

**Peter:** My wife's cooking shaped me. In that school, we don't have mentors—just "seconds."

**Ken:** Travelling to Mexico when I was 16 really had an impact on me. I had never understood or seen poverty. It opened my eyes to how others lived.

**The Scrivener: What was your first job?**

**Angel:** I had a humble but fruitful beginning. My first job was a messenger at age 11. I continued to mature and held many different jobs, until I became a lawyer.

**Wayne:** I delivered newspapers.

**Peter:** I was an Articles Clerk at 55 cents Canadian—per WEEK!

**Ken:** I moved furniture at 13.

**The Scrivener:** *What business interests did you pursue before you entered the Notary profession?*

**Angel:** I was a lawyer before I became a civil law Notary. Puerto Rico is a civil law jurisdiction. Thus, a Notary must also be a lawyer. As lawyers, we can practise the legal profession or we can practice the notarial profession—in which case we become civil law Notaries—or we can be lawyers *and* civil law Notaries. Contrary to other countries, we can practise both professions at the same time under strict legal and ethical guidelines promulgated by our Supreme Court.

**Wayne:** I was involved in insurance, real estate, and property development.

**Peter:** Soliciting.

**Ken:** None.

**The Scrivener:** *When and why did you become a Notary? What additional education did you need?*

**Angel:** As in any civil law jurisdiction, our law requires Notaries to be impartial; we do not represent any one party to the transaction. For that reason, becoming a civil law Notary is a learning process that may take several years. As Notaries, we must take special courses as part of the legal curriculum and we must also continue to take notarial courses to comply with continuing legal education requirements.

**Wayne:** I became a BC Notary in 1986 via the UBC Notary Preparatory Course. I am a great believer in ongoing education. I have continued to study the Law, Wills and Estates, Conveyancing, and other areas of interest to my profession as a Notary Public.

**Peter:** My reason was curiosity. I became a Notary in 1970. I took no special courses . . . that's why I was curious.

**Ken:** I found the concept of what a Notary was and stood for *very intriguing*. I became a BC Notary in 1983.

**The Scrivener:** *What is the name of your Notary organization? Do you often travel for business reasons? To what destinations?*

**Angel:** As lawyers, we are required to be members of the Puerto Rico Bar Association. Membership in the Bar Association is mandatory for all lawyers. As Notaries, we formed the Puerto Rico Notaries Association. Membership is voluntary but most practising Notaries are members of the Association.

I am also Vice President for North and Central America and the Caribbean of the International Union of Latin Notaries (UINL). Puerto Rico is a founding member of the Union, which today has 71 members. The last member to join was China. My duties as Vice President require me to travel to all destinations of the world.

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**Wayne:** Our Notary organization is The Society of Notaries Public of BC. I enjoy travel to the various towns and cities of the province where our members practise. I feel it is important that the CEO of the organization know and appreciate how the Notary is involved in the community and what the needs and character of the city are.

**Peter:** I belong to the Provincial Notaries Society in England. I travel exclusively throughout Europe to UINL meetings twice each year to such places as Florence, Granada, Dubrovnik, Estonia, Budapest, and Vienna.

**Ken:** I am a recent Past President of The Society of Notaries Public of BC. I have been fortunate to travel on behalf of The Society with respect to the UINL to many foreign destinations including England, Italy, Argentina, Mexico, Austria, and the US.

**The Scrivener:** *Please describe a typical day (or week) in your busy life.*

**Angel:** I am retired, so my day is not very eventful. I am called upon to advise colleagues on many aspects of the legal and notarial profession; I give lectures on several subject matters related to or affecting the legal profession, including the notarial profession. I have been called to give lectures in several different countries, including the United States.

**Wayne:** My life revolves around a lot of meetings now. When I was in Notary practice, my day and week involved meeting with my clients. This position requires that I meet with Society members, people from government, many other people who are our business partners, and individuals from other organizations in the legal field.

**Peter:** My notarial day is organized and regulated, whereas my life as a Criminal Lawyer doesn't sleep. Criminals are so inconsiderate.

**Ken:** My days are hectic. You'd have to wear my shoes to understand.

**The Scrivener:** *What do you find particularly rewarding about your work?*

**Angel:** As a lawyer, I find my work rewarding in the sense that I have been called upon and been able to contribute and to improve the legal profession. As a civil law Notary, I have been able to help resolve and carry out many complex situations, always as an impartial party to the transaction.

**Wayne:** I really enjoy working with *people*—our members, suppliers, staff, Society Board members, our magazine, and our various working committees. When we finish a project we have set out to complete, there is a real sense of accomplishment! It is very much a team effort.

**Peter:** There are 800 Notaries in England . . . and 6000 lawyers who know nothing about being a Notary. It's nice to be smart.

**Ken:** I have served as a Director of our Society for almost 18 years. Currently

Second Vice President, I have also served as President and Past President of The Society and Chair of The Notary Foundation. I have been extensively involved in promoting our Society to the UINL abroad. Over the years, I have made many friends; I have been part of the development of our Society and fortunate to be able to offer my professional insight. I believe I have contributed to developing a vision about where our Society can go in the future. The extra time spent on Society matters gives greater enjoyment and perspective to my day-to-day practice.

**The Scrivener:** *What professional alliances do you enjoy with other Notary organizations, including international connections? What value do you receive through meeting with other Notary bodies at annual conferences?*

**Angel:** I was President of the Puerto Rico Notaries Association for three years and am still very active in the Association. I have enjoyed the privilege of participating in many international meetings and annual conferences, seminars, and courses focused on the notarial aspects of many countries. The advantages of participating in international activities are many. I have made friends in most countries of the world; I have gained extensive knowledge and experience regarding the notarial statutes and notarial practice of numerous countries.

**Wayne:** Meeting with our colleagues around the world is very important. Because British Columbia is a multi-cultural community, it is imperative that we know how business is conducted in other parts of the world. When citizens of BC require the assistance of a Notary to help with documents being sent to and from other countries, it is essential that we understand what those particular countries are looking for.

Our history is based on Latin Notary practice. In spite of the fact that we are in a common law jurisdiction, many of the Latin Notary principles and practices can be brought into our system. For example,

the idea that the BC Notary deals in areas of law that are non-contentious is attractive to many British Columbians.

**Peter:** I enjoy exceptional working relations with Spain and France. The true value at conference is only achieved after you get familiar.

**Ken:** I have been fortunate to have developed relationships with the English Notaries and Scriveners, the member countries of the UINL and its executives, and the National Notary Association and the IOLTA Foundation in the US. The value of knowing and associating with member organizations is invaluable. You cannot quantify it in words.

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**The Scrivener:** *What is your organization's foremost achievement in the recent past?*

**Angel:** The Notaries Association of Puerto Rico has been able to group the Notaries in Puerto Rico. This is an unprecedented accomplishment since membership is voluntary. The Association was formed in 1986 and currently represents Puerto Rico in the International Union of Latin Notaries.

The Union has been able to promote the civil law notarial systems in many countries that are not civil law jurisdictions. Two good examples are the United States and China. In the US, the states of Florida and Alabama have adopted a civil law notarial statute that complies with the requirements of the Union for civil law Notaries. Also, with the help and guidance of the Union, China has adopted a notarial practice that complies in many respects with the civil law requirements of the Union.

**Wayne:** We can focus on many achievements. Among the ranks of BC Notaries, we enjoy cultural diversity and gender balance. We have a good self-governing organization.

The Society is providing more services to its members, such as assistance with certain aspects of their profession. BC Notaries are very concerned about education and participate quite actively. When we offer a weekend of continuing education, approximately 80 percent of our membership registers. Most organizations are happy to get 20 percent.

We have Websites and email capabilities. Technology gives the public much greater access to The Society and its members [[www.notaries.bc.ca](http://www.notaries.bc.ca)].

We have partnered with the Law Society to arrange secure encrypted communication to allow us to participate fully in providing electronic security for all Land Title Office filings and other legally binding, digitally signed documents.

BC Notaries were very involved with government and health care organizations working to establish BC's Representation Agreement legislation.

Through The Notary Foundation of BC, The Society has contributed over \$10 million to the Legal Services Society of BC. The Foundation establishes and maintains a fund to be used for the purposes of legal education, legal research, legal aid, and education and continuing education for BC Notaries and applicants for enrollment as Notaries. The Foundation also contributes to law libraries in the province and accounts for contributions to the special fund established under the *Notaries Act of BC*.

**Peter:** Educating the new guys. The strange thing is that I am a Lecturer and Examiner for our Notary courses at Cambridge, yet I started on the notarial path because you didn't need any extra education in those days.

**Ken:** Our new CEO Wayne Braid is moving our organization forward with

well-structured Policies and Plans and new strategic alliances. And the marvel of electronic communication is helping us better serve our internal and our external clients.

**The Scrivener:** *What are the goals of your organization?*

**Angel:** The goals of both the Notaries Association of Puerto Rico and the International Union of Latin Notaries are to promote—and at the same time preserve—the civil law notarial system. The Association works within Puerto Rico; the Union works throughout the world.

The most serious challenge for both the Association and the Union is to promote change and modernization in the notarial systems. In fact, this is the most serious challenge any notarial organization faces today.

Our notarial systems—in all jurisdictions, in all countries—must adapt to the changes in this new world whether such changes be technological, academic, or philosophical. This change is necessary. And this change must come from within our organizations. If we do not change, if we do not adapt, if this change does not come from within our organizations, someone will impose changes upon us. And, I must add, these changes must be made now. We can not wait five years to modernize our profession.

**Wayne:** We must always keep in mind the interests of the people of British Columbia and how we can best serve their needs for non-contentious legal requirements. People want a choice in their provision of legal services. The future holds the opportunity to provide new services to our clients.

**Peter:** We want to increase our expertise to keep pace with our continental brethren.

**Ken:** The people of the province are comfortable with the friendliness and openness of our services. We would like to open up new avenues for the BC Notary to serve the needs of the community.

**The Scrivener:** *What challenges will you be addressing over the next five years?*

**Angel:** I will continue to be in touch within my profession, both legal and notarial, and stay active in the Association and the Union. Now that I am retired, I have more time to myself. I read. I travel. I have more personal contacts and relationships and more time to enjoy.

**Wayne:** We want to better serve the ageing population in our province. And because many of our members are reaching retirement age, we have the challenge of replacing them with competent new Notaries to handle the population growth forecast for BC. We will maintain the wide cultural diversity we have established within our Society and embrace new technology and global markets.

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We are focusing strongly on the continuing education needs of our members. The law is constantly changing. It is a fascinating study! My vision is to have a group of well-trained Notary professionals continue to provide competent legal services to the people of British Columbia.

**Peter:** The usual—but as time goes by, the older, undereducated Notaries die off and are replaced by better educated youngsters. It will be up to them to take bigger strides into Europe.

**Ken:** Technology. We must also meet the threat of Notaries from England invading our BC shores, led by their esteemed commanders Tony Dunford and Peter Lawson!

**The Scrivener:** *How do you add balance to your life? What pastimes do you enjoy outside your profession?*

**Angel:** The additional time I have available provides me opportunity to see and appreciate the natural beauty of our world, including Puerto Rico and the many other countries I have visited. Whistler is certainly spectacular.

**Wayne:** I love sports. As a participant, I snowboard, water-ski, skate, and golf. As a spectator, I follow hockey, football, and just about any sport on TV!

**Peter:** Golf, tennis, snooker, cooking, housework, and shopping with the wife. And if you believe *that* . . .

**Ken:** I don't have ANY balance in my life; I do too much! What I really need is an expanded 24-hour day that runs 36 hours. My pastimes are basketball, coaching my boys, water-skiing, attempting to get some sleep, and spending quiet time with the family.

**The Scrivener:** *What aspects of community service interest you?*

**Angel:** All persons have a duty to contribute to their community, be that civil or professional. Community service creates a bond among people and provides a great personal satisfaction of accomplishment. In the professional sense, I am always active in professional organizations that promote the legal and the civil law notarial profession, specially those activities that deal with education.

**Wayne:** I am a member of Rotary Club and I am very interested in antiviolence programs and in programs that help youth.

**Peter:** Those that keep the taxes down.

**Ken:** I like Peter's answer.

**The Scrivener:** *What do you value most in your life?*

**Angel:** Certainly, my children. I am very proud of what they have accomplished and I would like to see them continue to prosper both personally and professionally.

**Wayne:** I value my wife, my children, and my relationships with friends and colleagues. I want to live my life in a productive and positive manner—and have some Fun doing it and to be my self!

**Peter:** My wife's jewels.

**Ken:** My family and my friends—both here and abroad.

**The Scrivener:** *Thank you!* ▲