



City of Cambridge

42.

IN CITY COUNCIL
May 1, 1995

COUNCILLOR TOOMEY
COUNCILLOR BORN
COUNCILLOR DUEHAY
COUNCILLOR GALLUCCIO
COUNCILLOR MYERS
VICE MAYOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TRIANTAFILLOU

WHEREAS: It has come to the attention of this City Council that Cambridge attorney **Michael S. Baum** has been named the recipient of the **Achievement Award for 1995** by the **National Notary Association**; and

WHEREAS: Michael, as chairman of the American Bar Association's Critical Electronic Data Interchange (EDI) and Information Technology Division, heads an Information Security Committee that is now forging rules and guidelines for notarization of "electronic documents"; and

WHEREAS: Michael has been cited for his pioneering efforts to produce standards that will shape law and commerce in the next century, for his remarkable leadership in getting diverse factions to work hand in hand and for opening up new vistas of opportunity and challenge for the Office of Notary Public; and

WHEREAS: Michael operates a Cambridge based consulting firm specializing in electronic commerce and data security, is a delegate to the United Nations Commission on International Trade Law and chairman of the International Chamber of Commerce's panel on the legal aspects of electronic commerce; now therefore be it

RESOLVED: That this City Council go on record extending its heartiest congratulations and best wishes to Michael S. Baum on this memorable occasion; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to Michael S. Baum on behalf of the entire City Council.

In City Council May 1, 1995

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury, City Clerk

A1

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Councillor Toomey

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State	Min. Age	Residency	Exam	Endorsement	Other Requirements
ALABAMA	18	1 day	No	3 county citizens	Registered voter
ALASKA	19	30 days	Yes	Local superior court clerk	
ARIZONA	18	None	No	No	No felony conviction
ARKANSAS	18	None	No	No	Commuting resident of adjoining state may qualify ¹
CALIFORNIA	18	Resident	Yes	No	Fingerprints
COLORADO	18	25 days	No	No	Must read, write English; no felony convictions; no commission revocation within preceding 7 yrs.
CONNECTICUT	18	None	Yes	Public official or reputable person	Must be state resident
DELAWARE	18	None	No	2 letters of recommendation	Non-resident must work in the state
DIST. OF COLUMBIA	18	None	Yes	3 letters of reference	Letter from applicant or employer
FLORIDA	18	Resident	No	A character witness	Non-citizen must submit domicile declaration
GEORGIA	18	None ³	No	2 adult county citizens	Must read, write English
HAWAII	18	None	Yes	Letter of recommendation	Letter of justification
IDAHO	18	None ¹	No	None	Must read, write English
ILLINOIS	18	30 days	No	None	Must read, write English; no felony convictions.
INDIANA	18	None	No	None	May hold no lucrative public office
IOWA	18	None ³	No	None	Community resident of bordering state may qualify
KANSAS	18	None ³	No	None	Must read, write English; no felony convictions or loss of professional license.
KENTUCKY	18	30 days	No	Official authorized by statute	
LOUISIANA	18	None ⁴	Yes ⁵	2 reputable citizens	Must be registered voter
MAINE	18	None	Yes	Registered voter, elected official, municipal clerk, registrar of voters	Municipal clerk of registrar of voters must affix seal of municipality as proof of applicant residency
MARYLAND	18	Resident ³	No	Local state senator	Must be of good moral character
MASSACHUSETTS	18	None	No	Lawyer and 3 others	
MICHIGAN	18	None	No	Probate or circuit judge of the county in which they reside or any legislator	
MINNESOTA	18	None	No	None	
MISSISSIPPI	18	None ^{1,4}	No	None	
MISSOURI	18	30 days	No	2 registered voters	Must read, write English
MONTANA	18	1 year ¹	No	None	Cannot have felony convictions
NEBRASKA	19	None	No	25 registered voters in home county	No felony convictions; encouraged to be registered voter.
NEVADA	18	30 days ¹	No	None	No felony convictions
NEW HAMPSHIRE	18	Resident	No	2 Notaries, 1 registered voter	
NEW JERSEY	18	None ³	No	State senator or assemblyman, secretary of state, assistant secretary	No convictions for crime involving dishonesty
NEW MEXICO	18	None	No	2 character witnesses	Must read, write English; no felony convictions or commission revocation.
NEW YORK	18	None ³	Yes ⁵	None	No felony convictions; commuting non-residents may qualify
NORTH CAROLINA	18	Resident ²	Yes	Elected official, Notary course instructor	Must complete course of study at designated institution; applicant's signature must be notarized.
NORTH DAKOTA	18	30 days ¹	No	None	
OHIO	18	30 days ¹	No ⁶	Judge	
OKLAHOMA	18	Resident	No	None	
OREGON	18	None ³	Yes	None	No felony or misdemeanor conviction
PENNSYLVANIA	18	1 year ¹	No	State senator and 2 reputable citizens	Must be registered voter
RHODE ISLAND	18	1 month ⁴	No	Local Board of Canvassers	Must read, write English; must be U.S. citizen.
SOUTH CAROLINA	18	None ⁴	No	Half of county's legislators or a local senator and a house member	Registered voter
SOUTH DAKOTA	18	None	Yes	None	
TENNESSEE	18	None ¹	No	County commissioner(s)	
TEXAS	18	None ¹	No	None	No felony conviction or conviction for crime of moral turpitude
UTAH	18	30 days	No	Yes	Must read, write English; must be Utah resident.
MONT	18	None	No	None	Appointing judge may qualify underage applicant
INIA	18	None ³	No	State official plus 2 voters	Must read, write English; no felony conviction.
HINGTON	18	None	No	3 adult residents of home county, eligible to vote and not relatives	Must read, write English
VIRGINIA	18	30 days ³	No	3 qualified electors	Must read, write English
WISCONSIN	18	None	No	None	Must have eighth-grade education; no convictions related to Notary duties.
WYOMING	19	None	Yes	None	Must read, write English
AMERICAN SAMOA	18	None	No	By employer	Must be of good moral character ¹⁰
	18	Resident ^{1,9}	Yes	No	Must read, write English; bond required.
GUAM	25	Resident	No	2 character references	Police clearance
THE NORTHERN MARIANA ISLANDS		for 3 years ⁸			
PUERTO RICO	21	None	Yes	No	Must be an attorney admitted to the Bar Association of Puerto Rico
THE VIRGIN ISLANDS	18	5 years ¹	No	Yes	No criminal record

S. citizen; ²Commuting non-residents may apply; ⁴Must be registered voter; ⁵Non-attorneys only; ⁶Judge may require an exam; ⁸U.S. government worker; ⁹Must be of good moral character; ¹⁰Along with other requirements, all not by statute but in application process.

M Pioneer And Visionary MICHAEL S. BAUM

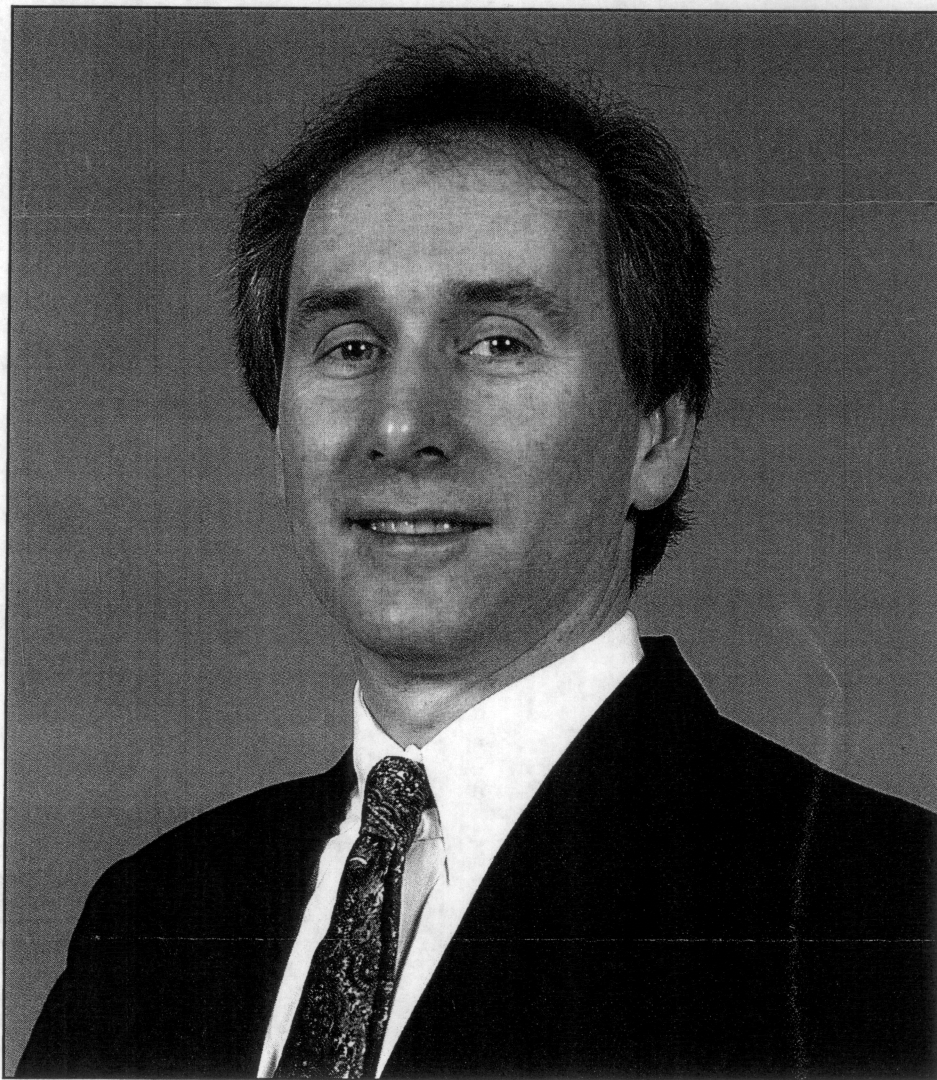
On the threshold of the 21st century, this 42-year-old Massachusetts attorney, author and foremost expert on the legal and security implications of paperless commerce has opened the door to the Notary's electronic future.

As chairman of the American Bar Association's critical Electronic Data Interchange (EDI) and Information Technology Division, he heads an Information Security Committee that is now forging rules and guidelines for notarization of "electronic documents."

In leading his Committee, he has been impressively even-handed in seeking out every interested voice, and particularly solicitous of and receptive to the concerns of America's 4.5 million Notaries, insisting that their representatives be active participants in a deliberative process that will produce standards of far-reaching impact.

His Committee of attorneys, computer security experts and Notaries of different nations has adapted the traditional paper-based principles of notarization to an electronic medium, fulfilling a prediction in his definitive 1991 book on EDI law: "The institution of the Notary Public provides a rich source of structures potentially relevant to increasing the reliability of electronic transactions."

For his pioneering efforts to produce standards that will shape law and commerce in the next



Electronic Document Expert

century, for his remarkable leadership in getting diverse factions to work hand in hand, and for opening up new vistas of opportunity and challenge for the office of Notary Public, the National Notary Association has

named Michael S. Baum as recipient of its Achievement Award for 1995.

Mike Baum's fascination with Electronic Data Interchange began in the mid 1980s when, as a practicing attorney, he studied

international message standards in the MBA program at Wharton School of Business.

Earning an MBA in Management of Technology, he then held positions in the electronic mail industry and with the Defense Data Network and Internet — becoming one of the nation's leading experts in the infant but burgeoning field of EDI. Indeed, his expertise soon prompted the American Bar Association to tap him as head of its fledgling EDI division.

Baum realized that trailblazing new standards for electronic documents meant setting new — and higher — standards for U.S. Notaries.

"I've been a Notary since the late 1970s when I obtained a commission without much thought about it," Baum said. "But my actual consideration of notarial reform did not begin until the late 1980s in the context of researching....computer-based authentication methods, practices and techniques.

"I had a gut reaction that the Notary had to have a role."

He initiated a dialogue with the NNA in 1990 while researching his seminal *Electronic Contracting, Publishing and EDI Law*, and asked the Association to serve on his newly formed Information Security Committee.

Since then, NNA officers have attended regular meetings of the Committee in far-flung venues from San Francisco to New York to Washington, D.C., to Miami. Also in attendance have been Notaries from many other nations, including Italy, Mexico, France, Canada and the United Kingdom; keenly interested representatives from U.S. federal agencies, such as the Defense Department, State Department and Postal Service; and technical representatives from diverse segments of government and private industry — all with a compelling need to stay on EDI's cutting edge.

Only the dynamism and vision of Mike Baum have held together and productively channeled these divergent viewpoints.

And perhaps no viewpoint



Baum joins the NNA's 1993 Achievement Award winner, California State Senator Diane E. Watson, in discussing the notarial safeguards of ensuring the identity of document signers.

appeared at first more divergent and out of step with the computer orientation of many panelists than that of the paper-oriented traditional Notary Public.

Indeed, the NNA's opening

The standards and procedures that are being forged through Mike's leadership will profoundly affect the role of the American Notary for years to come.

statement to the Information Security Committee (San Francisco, 1992) on behalf of the American Notary drew gasps: "Even assuming there could be a foolproof way for a machine to ensure the true identity of a signer, how do we know the signer isn't being coerced? Or that the individual is not incompetent? Any technological development can be subverted. The more sophisticated the technology, the

more difficult it is to detect subversion of it — and the more chaos results from malfunction."

Yet, at every meeting and deliberation of his Committee, Baum insisted that the voice of the NNA — and thus of 4.5 million U.S. Notaries — be heard, and that the usefulness of certain timeless and still vital principles not be ignored.

As a result, a recognition of the value of an impartial human arbiter, a Notary Public, in making judgments about the identity, volition and competence of any transmitter of a sensitive electronic message underlies the Committee's continuing proposals and recommendations.

However, Mike Baum has never pulled his punches in talking about the failings of the current U.S. notarial system, which he feels does not screen, educate nor professionalize Notaries on a level with their counterparts in other countries.

Baum thinks it ironic that such poorly trained Notaries exist in a nation that "has been one of the clear leaders in exploring and progressing the use of cryptographically secure signatures and documents."

His solution to enable an interface between the notarial systems of the United States and the rest of the world is a proposed class of "CyberNotary," who may have to be a lawyer and bonded for several hundred thousand dollars.

"By the year 2000," he said, "I believe and hope that the notarial profession in the United States will be a smaller, more educated and trained, trustworthy and

sophisticated group....(but) I do not foresee the elimination of traditional paper-based notarial practices."

What he does foresee is the average Notary's continuing adaptation to the computer in business and law.

"Since real estate that is for sale can now be viewed on high resolution color monitors and virtual 'walk-throughs' of homes are no longer fantasy," he said, "the nature of real estate transactions will demand computer-based notarial acts."

In no field, he predicts, will notarization be untouched by computer technology:

"To the extent that credit unions will invariably need to adopt smart cards and other more automated mechanisms and will not likely be able to avoid the introduction of financial services on the Internet, even the credit union Notary will need to facilitate such (transactions)."

His fellow attorneys and the members of his Information Security Committee express admiration for Mike's leadership and his unifying vision.

"Michael is a man of indefatigable energy and vision," said attorney Robert W. Barger, an AT&T executive and chairman of the American Bar Association's Section of Science and Technology.

Clyde Christofferson, a Virginia attorney-Notary who helped implement a pilot paperless court filing system, said Baum is making the Notary an important linchpin between modern technology and international commerce.

Mike Baum's commitment to finding workable, practical applications for Electronic Data Interchange is total.

Operating a Cambridge, Massachusetts, consulting firm specializing in electronic commerce and data security, he is a delegate to the United Nations Commission on International



Baum explains the role of Notaries and electronic documents at the 1993 National Association of Secretaries Of State Winter Conference.

Trade Law and chairman of the International Chamber of Commerce's panel on the legal aspects of electronic commerce.

The prolific author and seminar leader lives in Cambridge with wife Vera, a chemical engineer.

Keeping abreast of all his projects, he admits, means spending "half my life" in an airplane. To reach him on this busy itinerary, one must have access to the Internet.

"I'm not your typical user," Baum said. "I use the computer intensely. Other than owning a paper-based address book, I do everything on computer."

Neither is Mike Baum your "typical" NNA Achievement Award honoree, whose ranks in the past have included secretaries of state, lawmakers, a judge and a law school dean.

"This is the first time we've ever really honored someone who might be called a pioneer and true visionary," said NNA President Milton G. Valera. "But this doesn't lessen the very real practical impact and value, now and in the near future, of what Mike and his

Committee are doing. The standards and procedures that are being forged through Mike's leadership will profoundly affect the role of the American Notary for years to come.

"They will also indelibly imprint the procedures of commerce and law that will be used around the world in the 21st century.

"For his past and continuing trailblazing efforts, on the threshold of a new electronic era, there can be no more worthy recipient of the NNA Achievement Award than Michael S. Baum." ■

Award Rules

The Achievement Award is given annually by the NNA to the individual who, in the judgment of the Association's executive committee and editors, has done the most to improve the standards, image and quality of the office of Notary Public during the preceding year.

NNA officials will present the Award June 17, 1995, during the "Farewell Banquet" at the 17th annual Association conference in Seattle, Washington.



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Bon Duchay Gallucci
Myrus Russell Sullivan
Mantafillo

Consent Order #42

R-416

Councillor Toomey re: Cambridge Attorney
Michael S. Baum-recipient of the Achievement
Award of 1995 by the National Notary Association

In City Council May 1, 1995

Order adopted