

How One Notary's Journal Changed History For An Entire State

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Wanda Scheib, a Notary who worked in the Pennsylvania attorney general's office, had been doing her job for more than 20 years before her journal became the star of a criminal investigation that ultimately helped convict her top boss of perjury.

As a commissioned Notary, Scheib felt a responsibility to follow the law by keeping meticulous journal entries and always adhering to best practices. Although the high-profile case is unusual, Scheib's actions underscore the true value and importance of keeping a journal of notarial acts, regardless of whether journals are required by law in a particular state.

A Routine Start

The story began on January 17, 2013, just two days after Kathleen Kane was inaugurated as Pennsylvania Attorney General. A meeting was called to discuss the transition that included Kane and her highest-ranking deputies. The new attorney general was going to be exposed to all kinds of private information as part of her duties, including secret grand jury testimony, and it was determined that she and the staff needed to take secrecy oaths that they would not divulge information from that testimony.

Scheib, an executive assistant, was hastily called to the meeting and asked to notarize oaths for both active grand juries and historical juries that had already expired. That day, Kane swore under penalty of contempt that she would protect that information.

Scheib executed jurats on the oath forms and recorded the transactions in her journal, according to a criminal complaint filed against Kane. Scheib had no idea that her notarizations, and the careful record she kept of them, would become the centerpiece in an investigation into whether or not the attorney general lied when she said documents she leaked to the press were not protected under a secrecy oath. In fact, the documents were protected, and Scheib's Notary journal proved it, investigators said in the complaint.

By the Book

Scheib's actions represent a step-by-step guide for Notaries seeking to uphold the law, follow professional standards of practice, protect the public and safeguard private information.

The day of the meeting, Scheib didn't know exactly what she would be asked to do, so she brought her stamp and her journal with her, she said in court testimony.

Scheib testified that filling out the journal was a vital part of her job as a Notary: "Whenever I notarize a document, since I became a Notary, I record the document in this log." Trial testimony brought out that the journal entries were made contemporaneously with the notarizations, and that Scheib stored her journal apart from other records, and nobody else had access to it. These are professional standards of practice for keeping journals.

Important Evidence

Prosecutors recognized that both the notarized oath and Scheib's journal were key pieces of evidence in the case against Kane. Michelle Henry, an assistant district attorney for Bucks County, noted in her opening trial statements that Scheib's journal proves Kane took an oath. Without Scheib's evidence, investigators might never have found out that Kane was sworn to secrecy, Henry said. But Scheib knew "because she notarized (the oath)."

After Kane was arrested in August 2015, Scheib went online and read the criminal complaint against her boss and realized something important: Kane said that she never signed oaths applying to previous grand jury information. But Scheib remembered notarizing just such oaths for both Kane and the other people in that initial meeting. That made Scheib "uncomfortable," according to her testimony.

"I struggled with it," she said. "I felt that, as a commissioned Notary, I had a duty to say something to somebody."

Scheib was worried about losing her job. Kane was the head of the agency, and the other people who signed the oaths were members of upper management. "What's going to happen to me if I do say something?" she recalled at the trial.

Despite her concern, she contacted a supervisor — a move she noted was "extremely" difficult. Even though she was not legally required to say anything, Scheib believed that ethics compelled her to say something.

Kane was eventually convicted on perjury and abuse of office charges, and then in October, the judge hearing the case handed down a sentence of 10 to 23 months in county jail, according to media reports.

The case is both a cautionary tale and an example of how a dedicated public servant can make a big difference. If Scheib had filled out her journal illegibly or failed to correctly notarize the oath, she may not have been able to provide the evidence prosecutors needed to prove their case.

Journals are important because issues involving a notarization often do not arise for years. Kane was arrested more than a year after Scheib made her journal entries. Though most Notaries will never make the news, and their journals will rarely be part of a court trial, they should be filled out and maintained as if the next criminal case depends on it.

