

Catholic Mutual... CARES

Electronic Signatures (e-signatures)

As technology continues to evolve and develop into our everyday lives, electronic signatures are becoming more prominent. An electronic signature or e-signature is defined as a symbol, sound, or something else in electronic form used by a signatory (signer) to represent his or her signature. If legal and/or regulated in your State, e-signatures have benefits of increased efficiency and enhanced security.

For e-signatures to be valid and legally binding, they must adhere to certain standards. In the United States, e-signatures are both legalized and regulated under two separate laws, the United States Electronic Signatures in Global and National Commerce (ESIGN) Act and the Uniform Electronic Transactions Act (UETA) which makes e-signatures valid and uniform across state lines. UETA has been passed in all 47 states, plus Washington, D.C. and the U.S. Virgin Islands. New York, Illinois and Washington have their own laws regulating e-signatures.

For an e-signature to be legitimate, it must possess the following attributes:

- 1. The signer must be aware of their actions and intent to sign.**
- 2. The signer must have given consent indicating they agreed to allow the transaction to take place electronically.**
- 3. The electronic software that captured the signature must keep a record of the process used to obtain the signature.**
- 4. The documents that were signed electronically must be retainable for recordkeeping purposes and reproducible so all parties have a copy.**

When contemplating using e-signatures, you should ensure the four criteria listed above are met.

Should you have any additional questions, please feel free to contact your Risk Management Representative at Catholic Mutual Group.

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