

COMPUTERIZED RECORD OF PUBLIC NOTARY OFFICE

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***Abstract:** The use of computers and software products for the computerized record of the activity of the notary office saves time and physical space for storage. All data operations are easily performed in a short period of time.*

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The notary documents and the records of the notary office are made by using manuscripts or typescripts. Therefore they can be produced and archived on supports accessible to the equipments of automatic data processing.

The public notary must keep the documents he/ she creates in the archive for the established period according to the technical norms regarding the storage of the documents created and received by public notary offices, by Public Notaries Chambers and by The National Union of Romanian Public Notaries. The public notary will keep a daily general record of all documents that he/she creates

The form of general record and the way of making records are established by the Ministry of Justice through regulations.

The secretariat will perform activities regarding the reception, the record and the mailing of correspondence, documents' filing and record, storing records, as well as other activities with an auxiliary character that are necessary for a good development of notary activity.

Keeping a daily record of an archive generally means a longer period of time and a more physical space for storage. At the same time, any operation to look for a document in the archive involves an unjustifiable waste of time and effort.

According to the Law of National Archives, the organizations and the institutions are responsible for maintaining the record, the inventory, the selection and the storage of certain documents.

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A solution to all problems related to documents' archive maintenance would be the creation of a computerized system that has to manage documents' archives of a notary office.

Notary office records

The creation of this software must be based on a thorough knowledge of the notary office activity.

The public notary office keeps the following records:

- a) the general record;
- b) the general record inventory;
- c) successions' record;
- d) successions' inventory;
- e) the special record of succession relinquishments
- f) the inventory of succession relinquishments;
- g) the record of successions' terms;
- h) deposits record;
- i) complaints' record;
- j) the record of legal counseling offered by the notary public,
- k) translations' record
- l) mail record.

The documents and the legal counseling provided by the public notary will be included in these records with the mention of the established fee.

In the general record all the notary documents are recorded except those regarding succession procedure received in the writings, documents, values deposit. Each work will have its record number no matter one party requires more copies of the drafted writing.

The public notary follows the statistical record of the works from this general record. The inventory of the general record will indicate in alphabetical order the surname and the first name of all parties referred to in documents. The public notary follows the statistical record of the documents from this general record. The inventory of the general record mentions the surname and the first name of all parties included in the documents, in alphabetical order. The copies' certifications are not inventoried.

The succession record registers the succession files. The succession inventory mentions the succession author' surname and first name and the file number.

The succession relinquishments' record will include all statements regarding both relinquishments and those of acceptance as inventory benefit. The inventory of succession relinquishment will mention the surname and the first name of the party that gave up on the succession or accepted it as inventory benefit.

The record of succession's terms highlights the sessions and the solutions for the cases regarding notary succession procedure.

Inheritance certificates will have a number indicated in this record following the order of cases' resolution.

At the end of each month the secretary of the notary office writes in the record of successions' terms the situation of cases on the roll of court, of those that are settled along with their resolutions, the established taxes and fees, as well as the cases that are left unsolved.

The deposits record includes the mentions referring to the writings, documents and the values mentioned in the inventory minute of the goods for succession which the public notary has agreed to keep in his/her office.

The claims registry records on a daily basis and in alphabetical order the commerce acts performed by following the legal procedures.

All legal counseling is recorded in the notary legal counseling record, and as for the written ones they are kept in a special folder in one copy. In the same folder the projects of legal actions and the minutes are preserved.

The public notaries that have hired translators will also keep a record for translations. For this case the translations will be recorded in this record and not in the general one.

The correspondence record includes the official correspondence of the public notary which is not recorded in the other records.

The records are made when the works are received and in the order they are received.

The public notary is responsible for storing and preserving archive of the notary office under the conditions and following the terms set by the legal stipulations regarding the National Archive Fund. The archive is to be preserved by a secretary or if applicable by an archivist hired by the public notary.

The computer-based record of the notary office can be made with the help of data base applications. This is the reason for the following brief presentation of the working method with relational data bases.

A data base represents a collection of data used for making a certain type of organization or an organizational process.

A relational data base stores data in relations, data that the user perceives as tables. Each relation is made up of rows (records) and attributes (columns and fields). The physical order of records or of fields from a table doesn't have importance and each record from the table is identified by means of a field that includes a unique value called "key". These keys are used to link data from different tables.

In the relational pattern the relations are used to store information regarding the objects that will be represented in the data base. A relation is represented by a two-dimensional table whose rows correspond to the individual records and the columns to the attributes. The attributes can appear in any order, the relation remaining unchanged.

As long as a user knows the relations between the tables of a data base, he/she can access data contained in an almost unlimited number of possibilities.

The process of normalization is one of the stages that a data base follows while it is projected. Its purpose is to remove the redundancies and anomalies resulting from information updating.

The anomalies, which appear while working with data base, result from dependencies that exist between the data from the relations present within data base. The removal of a certain type of undesired dependencies which will turn into admissible dependencies is performed by using the normalization technique that is made following a series of steps. Each step corresponds to a certain normal form and the result is that data base relations reach a certain degree of perfection. When a requirement is not fulfilled, the relation affects it has to be split into relations that satisfy individually all requirements for normalization.

Because of the existent dependencies there could appear anomalies at the insertion, change or removal, data redundancy.

A management system of relational data bases (SGBDR) is a software program used for the creation, maintenance, change and manipulation of a relation data base.

To exemplify the utility of computer-based record we will study the general record along with its inventory.

It can be noticed that a large part of the information from the general record and its inventory repeat. Therefore the same information is stored in two places which results into a waste of time and storing space. By using data bases this information will be stored only once.

The information that is memorized in the general record is the following: record number (no.) surname and first name and/or the name of the parties, document type, certification number (no.aut.), document type (type), stamp fee, evaluation price, legal stamp, notary fee, documents free of taxes, public notary. In the inventory of general record the surname and first name of all parties mentioned in the documents are recorded in alphabetical order. It is noticed that the two records and the inventory include repetitive data such as the surnames and first names of the parties mentioned in the documents.

It is also noticed that all information that is recorded in the general record inventory can be found by consulting the information memorized in the general record. From the general record, by using the interrogating language of SQL for data bases, one can get information referring to registration number, to the parties' surname and first name in alphabetical order, thus we no longer have to include this information in the general record inventory.

We suppose to have the following content of general record:

Record:

Entire no.	Surname	First name	Doc type	No. aut	Stamp fee	Legal stamp	Doc. free tax	Public notary	Data
1	Pop	Ioan	A	111	10	150	N	Popescu Ana	05.04.2006
2	Stan	Calin	A	112	5	200	N	Ionescu Dana	10.04.2006
3	Banu	Lucia	B	113	10	100	N	Ionescu Dana	12.04.2006
4	Nan	Mihai	A	114	10	150	N	Popescu Ana	12.04.2006
5	Cocis	Dan	B	115	10	250	N	Ionescu Dana	13.04.2006
6	Iuga	Dana	B	116	15	50	N	Popescu Ana	14.04.2006

It is noticeable that the attribute of registration number defines only one row, consequently this field has been selected as basic key. There are not two different documents with the same registration number.

For example we suppose that the relation which includes information from the general record is called *Record*. If we want to get from the relation *Record* the

information which should be found in the general record inventory, the SQL command must have the following format:

```
SELECT entire no., surname, first name  
FROM Record;
```

The result is also a table with the following form:

Entire no.	Surname	First name
1	Pop	Ioan
2	Stan	Calin
3	Banu	Lucia
4	Nan	Mihai
5	Cocis	Dan
6	Iuga	Dana

One can also notice that the result of this command is the content of the general record inventory. Therefore it is no longer necessary for the information to be included in the inventory as they can be obtained from the general record. This way we can obtain an economy of time, work and space.

For an alphabetical listing of information the syntax of the phrase Select is:

```
SELECT entire no., surname, first name  
FROM Record;  
ORDER BY name;
```

If we want to find the list of the clients from a certain day the syntax of the phrase Select is:

```
SELECT entire no., surname, first name  
FROM Record;  
WHERE data = #12.04.2006#;
```

At the same time we can get a series of information grouped and ordered according to different requirements.

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