



Electronic Signatures Roundtable: Use on Legal Documents in Museums

This was an extremely informative session comprising three panelists addressing the initiation and implementation of electronic signatures at two distinct museums with added legal background.

The first speaker, **Linda Endersby**, Registrar, Museum of Art & Archaeology, University of Missouri, explained that she was inexperienced with the use of electronic signatures. The transition was mandated by her parent institution's charge to move to electronic documents and away from paper documents in order to be more environmentally friendly. Endersby mentioned important terms commonly used, such as "wet" signatures, which are the traditionally accepted signature form that is physically signed with ink on a hardcopy and "electronic" signatures, which are the digitally computerized versions of traditional "wet" signatures. She explained that the new process at her institution did indeed reduce the amount of paper generated because she did not have to utilize or retain a paper copy at each step along the signing process.

Anne M. Young, Director of Legal Affairs and Intellectual Property, Newfields, introduced important legal issues about the use of electronic signatures. According to current U.S. law "a signature, contract, or other record may not be denied legal effect, validity or enforcement solely because it is in electronic form." She continued with an important note that "a digital signature is NOT binding when an individual simply types their name into a digital signature field or utilizes a 'handwriting-like' font." Young also explained that "a scan of a wet signature is broadly accepted as legally binding." She explained that there are some legal arguments that utilizing electronic signatures that are encoded may in fact be more secure than traditional wet signatures sent through the mail. She mentioned a few of the commonly used software programs, such as DocuSign and Adobe Sign: E-Signature. Young concluded by reassuring attendees that these and other similar programs were secure and that we need not fear using electronic signatures on legal documents.

Greta Russell, Senior Registrar, Buffalo Bill Center of the West, explained that she began to use electronic signatures out of necessity due to the inaccessibility of her institution. When she had success using the new practice on one document, she expanded the use to other museum forms. Russell worked with her museum's internal IT and graphic design staff to build the first electronic signature form. They chose Adobe because it is widely used, easy to use and worked well for repeat users. She explained that with this software the electronic signature is registered with a digital ID and linked to the signer's email address for added security. The document can also be digitally signed with the date. She has found that an email receipt is more convenient for many people; however, the museum still uses paper receipts when needed. Russell now uses electronic signatures for the museum's acquisitions and loans. In some cases, she mentioned that the museum's practice of using electronic signatures may not be secure enough for all legal documents, but that having a scanned or photocopy of a signature on a document is better than no signature at all.

Conclusion: Two important takeaways from this session are that electronic signatures are legally binding and that the use of electronic signatures can be more environmentally friendly than traditional wet signatures. During the question and answer segment, an audience member inquired about liability issues and the potential problem of someone "hacking" into a museum's computer system. While the panelists agreed that there is no simple solution and much depends



on the specific situation, regardless of a museum's practices, it is important to maintain integrity when managing important documents whether those are hardcopies or electronic versions. Finally, an impromptu hand-count of audience members revealed that only a small percentage of institutions in attendance currently use electronic signatures. During this session the three panelists addressed important issues to consider as more museums transition to using electronic signatures on legal documents. For those interested, the panelists provided a list of "useful references and further information" available through the ARCS conference app.

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