

Date: April 15, 2026
To: Board of Retirement
From: Doris L. Rentschler, Executive Director
Subject: Electronic Signature Acceptance

Recommended Action:

Adopt the Electronic Signature Policy outlining acceptable methods for use of electronic signatures including which methods are acceptable for the acceptance of electronic signatures.

Fiscal and Financial Impacts:

The cost for electronic signatures through services such as DocuSign are based on volume. MCERA could use DocuSign through the County's contract at an estimate price of \$8 (or less) per "envelope" or through a separate contract. The price is not per signature but per envelope which may contain one or more documents requiring one or multiple signatures. For example, the service retirement packet would be one envelope that includes multiple forms and could require up to 13 member signatures and 2 spouse or domestic partner signatures. Or an envelope may contain only one form that requires only one signature. Under both of these scenarios, the DocuSign fee is the same. At this point, the volume of transactions that would use DocuSign is not known.

Signatures accepted through MemberDirect's (MD) secure communications channel via document uploads would not incur a fee. However, MCERA could incur cost to customize MD for e-signature processes outside of uploading through the secure communications channel depending on whether and how i.e., MCERA sets up business processes online, such as retirement applications or disposition of member accounts..

MCERA's future administrative budgets will include an allocation for DocuSign fees and for customizations to MD, if any are pursued.

Strategic Plan Importance and Risk Assessment:

While not included in the Board and Staff work plans, establishing rules for the acceptance of electronic signatures is supported by the Board's Strategic Plan, specifically Goal 3, Objective A - to Improve business processes, Objective B - to Align technology advancements to evolving business needs and Goal 4, Objective E - to Align services to member, retiree, and employer preferences.

Background and Discussion:

Section 31527(i) of the County Employees Retirement Law permits the use and acceptance of electronic signatures the technology used is deemed by the Board to be sufficient to ensure the integrity, security and authenticity of the electronic signature. A document submitted in accordance with these requirements shall be given the same force as a signed, valid original document.

As MCERA works to improve business processes and align services with member preferences, the ability to leverage technology to facilitate operations was a primary objective of the Board's Strategic Plan which included the development of MCERA's Information Technology Master Plan. The move to more fully utilize the functionality within MD and toward the acceptance of electronic signatures is MCERA's first significant step in realizing the Board's vision.

Under California's Uniform Electronic Transactions Act (UETA), Civil Code sections 1663.1 et seq., legal validity of electronic signatures if electronic transactions meet the following four criteria:

1. **Intent:** Each party intends to sign.
2. **Consent:** All parties agree to conduct business electronically.
3. **Association:** The system used must keep a record linking the signature to the document.
4. **Retention:** All parties must have access to retain copies of the documents.

While there are a number of tools that meet the requirements in Section 31527(i) and UETA, after discussion with County IT and Levi, Ray, & Shoup, Inc. (LRS), MCERA's Pension Administration provider, staff recommend the Board deem DocuSign and MD as acceptable methods for electronic signatures.

DocuSign Inc. is an industry leader that provides products to manage electronic signatures and documents. DocuSign has 1.7 million clients in 180 countries and their web based process is compliant with the US Electronic Signatures in Global and National Commerce Act (ESIGN Act) and the EU's Electronic ID, Authentication and Trust Services (eIDAS) regulations. DocuSign has been approved by and is in use at the County of Mendocino.

MemberDirect is MCERA's member self-service portal tied to MCERA's pension administration system, PensionGold, from LRS. LRS states that many of their current clients use electronic signature within MD. Signatures obtained during processes in MD (customizations) comply with the UETA criteria. Access to MD is restricted to MCERA members who must obtain a personal identification number to register an account and users are required to set up multi-factor authentication to log in. MCERA will accept imaged forms/documents sent and received through MemberDirect's secure communication channel.

DocuSign and MemberDirect provide sufficient protocols to ensure the integrity, security and authenticity of the electronic signature and staff recommend the Board deem these options as acceptable for use at MCERA.

Attachment(s): Electronic Signature Policy