



Developing and Operating an Internal Legal Risk Management System in Notary Offices in Vietnam: Model and Solutions

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Abstract

Notarial practice in Vietnam faces increasingly complex legal risks, particularly those concerning document authenticity, the legal capacity and identity of parties, transaction requirements, and notaries' professional liability. Meanwhile, control mechanisms in many notary offices may remain dependent on individual experience, lacking integration between risk prevention, detection, and response. This study examines the legal foundations and organizational requirements of internal risk management and proposes a control model suited to the specific characteristics of notarial practice in Vietnam. Employing a legal analytical approach combined with an examination of professional procedures, the study establishes six components: risk management policies; risk identification and assessment at each procedural stage; segregation of control duties; standardization of document checklists; establishment of an early warning system; and development of a culture of professional responsibility. The model's value lies in its capacity to shift control from addressing violations to systematic prevention, thereby contributing to the reduction of disputes, the mitigation of compensation liability, and the enhancement of legal reliability in notarial practice.

Keywords: Notarization, legal risk management, internal control, notary offices, professional liability

1. Introduction

Notarization plays an important role in ensuring legal certainty in civil and commercial transactions and asset management, contributing to dispute prevention, the protection of the lawful rights and interests of the parties concerned, and public confidence in the stability of legal relationships. The increasing involvement of non-state providers in notarial services in Vietnam has expanded access to these services, enhanced the operational autonomy of notarial practice organizations, and responded to society's increasingly diverse transactional needs. However, the growing volume and complexity of transactions have also placed greater demands on notary offices concerning governance, professional quality control, and legal liability. Pham (2023) ^[13] examines the contribution of notary offices to socioeconomic development in Ho Chi Minh City, suggesting a relationship between the effectiveness of notarial services and the broader transactional environment. The question, therefore, is whether such effectiveness depends solely on notaries' professional competence or also requires governance mechanisms capable of identifying, controlling, and addressing risks throughout the service delivery process.

In substantive terms, legal risks in notarial practice extend beyond errors in certifying contracts and transactions. They may also arise from determining the legal status of parties, verifying the authenticity of documents, assessing the legal status of assets, ascertaining the parties' voluntary intentions, and managing records after notarization. Deficiencies at any stage may compromise the legality of a transaction, giving rise to disputes, claims for damages, or legal liability on the part of notarial practice organizations and notaries. Adjie (2023) ^[1] situates notarial liability within the relationship between professional obligations and the social service function of the profession, suggesting that legal compliance must be considered alongside the responsibility to protect the interests of relevant parties. From a technological perspective, Andriani *et al.* (2025) ^[2] examine the legal protection of electronic notarial records, drawing attention to the need to safeguard data integrity, security, and retrievability in digital

environments. These considerations suggest that legal risk management should be treated as a continuous organizational function rather than a response undertaken only after misconduct or disputes have occurred.

In Vietnam, the 2024 Law on Notarization (National Assembly, 2024) ^[18] establishes an important legal foundation for the organization and conduct of notarial activities in the new regulatory context. Together with the provisions governing professional obligations and liability for damages under the 2015 Civil Code (National Assembly, 2015) ^[16], this legal framework requires notarial activities to be conducted lawfully, honestly, and securely. Nevertheless, compliance with statutory obligations does not necessarily entail the existence of a coherent internal risk management system. Where control activities rely predominantly on individual experience, without adequate segregation of responsibilities, cross-checking procedures, or warning mechanisms, the capacity to detect errors may be limited. According to OECD (2023) ^[12], effective governance requires clearly defined responsibilities, oversight arrangements, and risk management. Although developed for corporate governance, these principles provide a useful reference for designing internal control mechanisms suited to the distinctive legal characteristics of notary offices.

Existing studies have examined notarial practice from several perspectives, including the increasing participation of non-state providers in service delivery, professional liability, the protection of civil rights, and technological applications. However, within the selected literature, the integration of risk identification, assessment, control, and warning mechanisms into an internal governance system specifically designed for notary offices has not been sufficiently clarified. The research gap concerns not merely the identification of potential risks but also the allocation of responsibilities, the establishment of control criteria, and the translation of compliance requirements into operational procedures that can be monitored and evaluated.

Against this background, the study seeks to develop an internal legal risk management model suited to the organizational and operational conditions of notary offices in Vietnam. Drawing on legal analysis and professional procedures, the article examines six components: risk management policies; risk identification and assessment; segregation of control responsibilities; standardization of document review checklists; internal warning mechanisms; and risk management culture. The study aims to contribute an analytical framework and an applicable organizational model that shifts the focus of governance from remedying violations to proactively preventing them, while strengthening professional accountability and the legal reliability of notarial practice.

2. Theoretical Framework

2.1. An Approach to Legal Risk Management in Notarial Practice

Legal risk management in notarial practice refers to the organizational process of identifying, assessing, controlling, and addressing risks that may result in legal violations, professional liability, or damage to parties involved in transactions. Unlike reviewing the legality of individual case files, risk management seeks to control the conditions under which errors may arise throughout the entire notarial process. This distinction is significant because the fact that a

transaction has been notarized in accordance with prescribed procedures does not, by itself, demonstrate that a notary office has established an effective risk prevention mechanism.

According to OECD (2023) ^[12], governance arrangements should clearly define responsibilities, ensure oversight, and integrate risk management into organizational operations. These principles may be selectively applied to notary offices, where notaries perform specialized legal service functions and bear professional liability under the law. From this perspective, risk management does not replace the individual liability of notaries but establishes mechanisms supporting the discharge of their responsibilities through task allocation, independent review, and the retention of evidence of compliance.

2.2. Good Governance Theory and Internal Control

Good governance theory provides a basis for explaining the relationships among transparency, accountability, organizational effectiveness, and service quality. Chien and Thanh (2022) ^[4] examine the effects of good governance on citizens' satisfaction with public administrative services in Vietnam. Although notarial practice differs from public administrative services in its legal and organizational characteristics, this approach suggests that service quality should be assessed in terms of both service delivery outcomes and the mechanisms ensuring accountability throughout the process.

For notary offices, internal controls should be based on the appropriate segregation of responsibilities across the stages of receiving applications, conducting legal assessments, drafting documents, reviewing documentation, certifying transactions, and maintaining records. Such allocation is not intended to disperse the legal liability of notaries but to prevent a single individual from controlling the entire process while facilitating the detection of errors before adverse consequences arise. This provides a theoretical basis for examining the relationships among process design quality, control effectiveness, and risk prevention capacity.

2.3. Professional Liability Theory and Legal Compliance

Professional liability constitutes the legal foundation of the risk management system within notary offices. Adjie (2023) ^[1] examines notaries' responsibilities in performing their social service functions, raising questions about the relationship between professional authority and legal obligations. In Vietnam, the 2024 Law on Notarization (National Assembly, 2024) ^[18] and the 2015 Civil Code (National Assembly, 2015) ^[16] provide the basis for determining the obligations of relevant parties and liability for damages where the applicable legal conditions are satisfied.

Nevertheless, legal liability arising after a violation is distinct from the proactive responsibility to prevent risks. Where management relies exclusively on sanctions, it tends to focus on determining fault after damage has occurred. By contrast, a proactive compliance approach requires notary offices to establish review criteria, record indicators of irregularities, and assess the performance of obligations at each procedural stage. Professional liability thus serves both as a legal foundation and as a factor shaping conduct within the governance system.

2.4. A Process- and Information-Based Approach to Risk Management

Legal risks are not distributed uniformly across the stages of notarization. The risk of document forgery generally requires control at the initial receipt stage; the legality of assets and transactions is examined during legal assessment; while the risks of lost, incomplete, or inaccurate data primarily concern post-notarization records management. Accordingly, a governance system must identify where each risk arises, the extent of its potential impact, and the corresponding control measures.

Andriani *et al.* (2025) ^[2] examine legal protection in the electronic storage of notarial records. This line of inquiry

suggests that digital transformation does not automatically eliminate risks but introduces additional requirements concerning data integrity, confidentiality, and information retrievability. Internal warning mechanisms, review checklists, and data updates should therefore be regarded as instruments supporting risk control rather than merely administrative procedures for records management.

2.5. Proposed Analytical Framework

Drawing on the preceding approaches and the six groups of measures identified in the research materials, the article proposes an analytical framework comprising the following components, as presented in Table 1.

Table 1: Analytical Framework of the Study

No.	Component of the theoretical framework	Focus of analysis	Theoretical and legal foundations
1	Risk management policy	Objectives, scope, responsibilities, and principles for addressing risks	OECD (2023) ^[12]
2	Risk identification and assessment	Identification of risks, their potential impacts, and control priorities at each procedural stage	OECD (2023) ^[12] ; process-based governance approach
3	Internal control	Segregation of duties, cross-checking, and allocation of responsibilities	Chien and Thanh (2022) ^[4] ; National Assembly (2024) ^[18]
4	Standardization of document review	Review checklists, confirmation of completion, and documentation of compliance	National Assembly (2024) ^[18] ; research proposal
5	Warning mechanisms and information management	Recording irregularities, protecting data, and preventing errors	Andriani <i>et al.</i> (2025) ^[2]
6	Risk management culture	Sense of responsibility, incident reporting, and learning from errors	Adjie (2023) ^[1] ; OECD (2023) ^[12]

The six components are considered mutually reinforcing. Governance policies establish strategic direction; risk identification determines control priorities; segregation of duties and standardized documentation provide implementation mechanisms; internal warnings generate feedback; and a culture of responsibility sustains the system's continuity. This analytical framework constitutes a theoretical proposal rather than an empirically validated model. Its value lies in providing a basis for assessing the comprehensiveness, operational feasibility, and suitability of internal legal risk management systems for notary offices in Vietnam.

3. Research Methodology

3.1. Research Design and Approach

The study adopts a qualitative research design combining doctrinal legal research, document analysis, and a process-based risk management approach. This combination reflects the nature of the research subject: legal risks within notary offices are governed by legal norms while also depending on organizational arrangements, the allocation of responsibilities, and controls over professional activities. Consequently, an analysis confined to legal provisions may not adequately explain risks arising during the notarization process. Conversely, examining governance procedures independently of their legal foundations could produce recommendations inconsistent with notaries' statutory authority and responsibilities.

The study follows an analytical approach that moves from legal norms to operational procedures and subsequently compares compliance requirements with internal governance principles. OECD (2023) ^[12] is used as a reference for accountability, oversight, and risk management, while Adjie (2023) ^[1] provides a perspective on notaries' professional liability. Together, these sources establish the basis for

developing a governance model capable of connecting individual legal obligations with the organizational responsibilities of notary offices.

3.2. Data Sources and Document Collection Methods

The study relies primarily on secondary data, divided into three categories. The first comprises legal instruments governing notarial practice, principally the 2024 Law on Notarization (National Assembly, 2024) ^[18], the 2015 Civil Code (National Assembly, 2015) ^[16], and related provisions concerning professional liability, compensation for damages, and notarial records management. The 2014 Law on Notarization is used to examine the development of the legal framework rather than as a currently applicable legal basis for provisions that have been superseded.

The second category comprises studies concerning notarial practice organizations, legal liability, service quality, and governance. In particular, Pham (2023) ^[13] provides insights into the socioeconomic role of notary offices; Adjie (2023) ^[1] focuses on professional liability; and Andriani *et al.* (2025) ^[2] address the legal protection of electronically stored notarial records. The third category consists of literature on organizational governance and risk management, particularly OECD (2023) ^[12]. Sources are selected according to three criteria: direct relevance to the research questions, legal or academic significance, and their capacity to inform the design of an internal control model.

3.3. Data Analysis and Processing Methods

Legal analysis is employed to determine the obligations, authority, and liability of parties involved in notarial practice while clarifying the distinction between mandatory legal requirements and governance measures voluntarily established by notary offices. Analytical and synthesis methods are used to systematize risks arising at successive

procedural stages, including document receipt, legal assessment, verification, drafting, execution and notarization, data updating, records storage, and dispute resolution. Comparative analysis is applied in two respects: examining legal provisions across successive regulatory periods and comparing control requirements among professional procedures. For each identified risk, the study considers its source, potential legal consequences, responsible parties, and preventability. Risks are then classified qualitatively according to their likelihood and impact to determine control

priorities, without assigning numerical scores in the absence of empirical data.

3.4. Development and Evaluation of the Proposed Model
On the basis of the analytical findings, the study develops an internal legal risk management model comprising the six components identified in the theoretical framework. Each component is translated into governance requirements, implementation instruments, and evaluation criteria.

Table 2: Analytical and Design Process for the Internal Legal Risk Management Model

No.	Stage	Method	Expected outcome
1	Identification of legal foundations	Analysis and systematization of legal provisions	Framework of legal obligations and responsibilities
2	Risk identification	Analysis of professional procedures	Stage-specific risk inventory
3	Risk assessment	Qualitative classification according to likelihood and consequences	Priority risk categories
4	Control design	Analysis of responsibilities, cross-checking, and process standardization	Policies, checklists, and warning mechanisms
5	Model evaluation	Assessment of legality, feasibility, and preventive capacity	Proposed model and improvement measures

Source: Author's proposed research design based on the theoretical framework and notarial practice procedures. The model is assessed against three criteria: legality, reflected in its conformity with provisions governing notaries' authority and liability; feasibility, referring to its applicability across notary offices of different sizes; and preventive capacity, demonstrated by its ability to detect, warn against, and address risks before damage occurs.

3.5. Methodological Scope and Limitations

The study focuses on internal legal risk management systems within notary offices in Vietnam and does not extend to a comprehensive evaluation of state regulation of notarial practice. As the research does not employ survey data, interviews, or verified records of actual cases, its findings primarily contribute to the development and theoretical justification of the proposed model. The effectiveness of the control measures requires further empirical evaluation in notary offices before conclusions concerning their implementation outcomes can be generalized.

4. Research Findings

4.1. Identification and Classification of Legal Risks in the Operations of Notary Offices

The analysis indicates that legal risks in notarial practice should be identified by examining the relationship among their sources, the stages of professional procedures, and their potential legal consequences. An approach focusing exclusively on errors committed by notaries at the time of certification fails to capture the full nature of these risks, as many originate at earlier stages, while their consequences may emerge only after the transaction has been completed. From the perspective of professional liability, Adjie (2023) ^[1] examines notaries' responsibilities in relation to their social service function. This approach suggests that risks should be considered not only in terms of potential losses to notarial

practice organizations but also in relation to their possible effects on the lawful rights and interests of persons requesting notarization. From a legal perspective, the 2024 Law on Notarization (National Assembly, 2024) ^[18] maintains the regulatory framework governing notarial practice, under which notaries perform their duties within their statutory authority and bear responsibility for their professional activities as prescribed by law. The 2015 Civil Code (National Assembly, 2015) ^[16] provides the legal basis for determining the conditions for the validity of civil transactions and liability for damages where the relevant legal grounds are established. Considered together, these two bodies of law reveal the multidimensional nature of risks in notarial practice: a professional error may affect the legal validity of a transaction while also giving rise to disputes or claims seeking to establish the liability of the parties concerned. Nevertheless, not every error necessarily renders a transaction invalid or gives rise to compensation liability; the legal consequences must be determined according to the circumstances of each case. For internal governance purposes, the study classifies risks according to the stages involved in preparing and managing notarial records, rather than solely by categories of legal violations. This classification allows for more precise identification of intervention points and the personnel responsible for implementing control measures.

Table 3: Identification of Legal Risks and Control Requirements Across the Notarization Process

Procedural stage	Principal legal risks	Potential consequences	Control measures
Receipt of documents	Forged documents, impersonation, inconsistent identification information	Inaccurate determination of the parties' identities or legal status	Identity verification, cross-checking documents against lawful data sources
Legal assessment of documents	Failure to satisfy legal requirements concerning parties, assets, or transactions	Risk of disputes, invalid transactions, or claims seeking to establish liability	Verification of requirements under specialized legislation
Information verification	Incomplete, inaccurate, or unverified information	Inadequate assessment of legal status	Verification through competent sources and documentation of results
Document drafting	Inaccurate, contradictory, or unlawful contractual provisions	Disputes concerning rights, obligations, and contractual interpretation	Cross-checking content and reviewing legal grounds
Signing and certification	Forged signatures, failure to ensure voluntary consent or legally required capacity	Complaints and disputes concerning the legality of transactions	Direct verification, explanation, and confirmation of intent
Post-notarization procedures	Delayed updates, inaccurate or omitted data	Inconsistent information and difficulties in retrieving records	Controls over the timing and content of updates
Records storage	Incomplete records, lost documents, unauthorized access	Difficulties demonstrating compliance and risks of information disclosure	Checklists, access controls, and data protection
Incident and dispute resolution	Delayed responses, insufficient evidence, or inability to determine responsibility	Increased costs, losses, and legal liability	Reporting procedures, preservation of records, and coordinated responses

The classification reveals three notable characteristics. First, risks are interconnected across procedural stages, meaning that deficiencies arising during document receipt may remain undetected during legal assessment and subsequently affect the notarized instrument. Second, the level of risk depends on both its likelihood of occurrence and its legal consequences; it cannot therefore be assessed solely by the number of recorded errors. Third, preventive capacity depends on implementing appropriate controls at the relevant stage. These characteristics provide the basis for moving from the management of individual incidents toward risk management covering the entire lifecycle of notarial records.

4.2. Establishing the Structure of an Internal Legal Risk Management System in Notary Offices

The research findings suggest that a legal risk management system can operate consistently only when established as a governance structure with clearly defined objectives, responsibilities, procedures, and oversight mechanisms. Although issuing separate guidelines for handling individual case files may reduce certain common errors, such measures do not adequately address coordination among organizational positions. OECD (2023) ^[12] emphasizes the importance of clearly allocated responsibilities, oversight, and risk management in organizational governance. For notary offices, these principles must be adapted to the professional

liability regime rather than applied through the direct replication of corporate governance models.

First, an internal risk management policy should establish the objectives of safeguarding the legality of notarial activities, protecting the rights and interests of persons requesting notarization, and limiting preventable losses. These objectives should be translated into verifiable requirements, such as document completeness, performance of necessary verification procedures, responsibility for reviewing document content, and reporting obligations when irregularities are detected. The policy should also define the scope of risks subject to management, the principles governing risk acceptance or rejection, and the procedures to be followed when established control limits are exceeded. In notarial practice, risk acceptance must not be interpreted as permitting the omission of mandatory legal requirements; discretion applies only to residual lawful operational risks after compliance obligations have been satisfied.

Regarding implementation, those responsible for managing notary offices should ensure the availability of resources and coordinate the control system; notaries remain responsible for fulfilling professional obligations within their authority; and professional support staff perform assigned duties and report irregular information. This allocation does not alter statutory legal liability but provides an additional basis for monitoring how responsibilities are discharged in practice.

Table 4: Structure of the Internal Legal Risk Management System in Notary Offices

Component	Core content	Proposed governance instrument
Risk management policy	Defining objectives, scope, responsibilities, risk-handling principles, and updating requirements	Internal risk management regulations
Risk identification and assessment	Recording sources of risk, potential consequences, and priority levels	Risk register and risk matrix
Function-based controls	Assigning duties, cross-checking, and controlling decision points	Internal task allocation and approval procedures
Standardized document review	Identifying required review items and evidence of completion	Checklists tailored to document categories
Risk warnings and responses	Recording incidents, issuing warnings, and escalating cases for further action	Warning register or warning system
Monitoring and improvement	Periodic reviews, error assessments, and procedural updates	Evaluation reports and corrective action plans

A notable feature of this structure is the cyclical relationship among its components. Policy provides the basis for risk identification; assessment findings determine the intensity of controls; and information obtained through reviews and warnings informs subsequent policy adjustments. Without feedback mechanisms, the system may exist formally while failing to respond promptly to emerging methods of forgery or changes in legislation. For smaller notary offices, segregation of duties does not necessarily require multiple independent departments. A procedure whereby one person performs a task and another reviews it may be adopted at appropriate stages, while the decision to notarize remains within the notary's statutory authority. Thus, the model's value depends less on staffing levels than on ensuring that critical control points are not left unaddressed.

4.3. Designing Risk Control Mechanisms Across Notarial Procedures

Analysis of the notarization process indicates that the effectiveness of a governance system depends not only on the completeness of internal regulations but also on the capacity to translate governance requirements into specific control actions during document processing. This characteristic requires a control mechanism that links each identified risk to a procedural step, a responsible person, and an auditable record demonstrating that the review has been performed. Unlike generalized controls, this mechanism makes it possible to determine which stages have been completed, which requirements remain outstanding, and when additional verification is necessary before a notarization decision is made.

The central design principle is the segregation of duties. Professional support staff may assist with receiving,

collecting, and organizing documentation, while the assessment of legal requirements, substantive review, and performance of notarization must remain consistent with the notary's statutory authority and responsibilities. For complex cases, professional consultation or cross-checking may help identify inconsistencies, but it must not substitute for the independent legal assessment and individual accountability of the authorized professional. Such arrangements help address merely formalistic controls, in which multiple individuals participate in processing documents without clearly determining responsibility for each component.

An important instrument is the document review checklist. This instrument should be developed for different categories of transactions, particularly those involving immovable property, jointly owned assets, representation by authorization, or parties subject to specific legal requirements. Nevertheless, a checklist cannot replace substantive legal assessment. Its value lies in prompting the examination of essential legal conditions, documenting findings, and reducing the likelihood of omitting necessary procedures.

The use of checklists also requires flexibility. An excessively simple checklist may fail to identify risks specific to a transaction, whereas an overly lengthy checklist that does not distinguish between levels of importance may encourage perfunctory box-ticking. The study therefore proposes a two-tier design: a general mandatory checklist covering commonly applicable requirements and a specialized checklist tailored to each transaction category. Cases involving incomplete verification or contradictory information must be documented and resolved before proceeding to the next stage, in accordance with legal requirements.

Table 5: Control Mechanisms at Significant Legal Risk Points

Control point	Matters requiring verification	Evidence of control
Identification of parties	Identity, legal capacity, authority to represent	Cross-checking results and relevant documentation
Determination of asset status	Rights over assets, restrictions on transactions, and legal status	Legal documents, search results, or verification findings
Transaction review	Purpose, content, conditions, and legal compliance	Substantive review form or documented assessment
Confirmation of intent	Voluntariness, understanding of the transaction, and statutory requirements	Professional records maintained in accordance with regulations
Completion of notarization	Compliance with prescribed procedures, authority, and formal requirements	Notarized instrument and related records
Post-notarization management	Data updates, storage, confidentiality, and retrieval	Update logs and records storage checklists

The proposed model also requires post-notarization quality control. This stage can easily be overlooked once a transaction has been certified, although it remains important for records retrieval, accountability, and dispute resolution. The findings of Andriani *et al.* (2025)^[2], which focus on legal protection in the electronic storage of notarial records, suggest that data management warrants separate consideration within professional governance. For notary offices, technological applications must be accompanied by access authorization mechanisms, controls over data modifications, and compliance with requirements concerning records retention and information protection.

Accordingly, control effectiveness should be assessed not by the number of additional review steps introduced but by the ability to identify appropriate control points, allocate

responsibility, and produce reliable evidence of procedural compliance.

4.4. Developing Risk Warning Mechanisms, Information Management, and a Culture of Professional Responsibility

One potential limitation of internal control arrangements is the tendency to record only violations that have already caused adverse consequences, while earlier warning signs are not systematically documented for preventive purposes. This approach reduces opportunities to learn from rejected applications, documents exhibiting indications of forgery, or inconsistencies among information sources. The study therefore proposes treating internal warning mechanisms as an essential component of the risk management system, with

the function of converting information from individual incidents into organizational knowledge supporting preventive controls.

Structurally, the warning mechanism should specify the types of events requiring documentation, including applications involving suspected forged documents, possible impersonation, assets associated with disputes or restrictions, inconsistent data, professional errors, and cases requiring explanations or clarification. Each warning should contain minimum information concerning the time of detection, indicators of risk, verification sources, actions taken, and resolution status. Crucially, suspected irregularities must be distinguished from verified facts. Recording an unusual indicator does not constitute a finding that a party has engaged in fraud or violated the law. The warning mechanism must also operate within the limits imposed by personal data protection and professional confidentiality obligations. Internal warning lists cannot be used to disclose client information arbitrarily or refuse notarization without legal grounds. Accordingly, the system must clearly define access rights, permitted purposes of use, review periods, and responsibilities for correcting inaccurate information. Andriani *et al.* (2025) ^[2] examine the legal protection of electronic notarial records, highlighting the need to reconcile data accessibility with responsibility for maintaining information integrity.

Technology, however, can support governance only when personnel actively record and communicate indications of risk. Developing an appropriate governance culture is therefore no less important than designing procedures. In an environment where reporting errors invariably creates a risk of being held responsible, employees may choose silence or informal resolution, depriving the organization of information valuable for prevention. Conversely, where reporting responsibilities are clearly established and distinctions are made among remediable errors, negligent conduct, and intentional violations, the control mechanism is more likely to operate transparently. Adjie (2023) ^[1] considers notaries' responsibilities from the perspective of professional obligations and social service. From a governance standpoint, this suggests that a culture of compliance should aim not only to protect notary offices against compensation claims but also to safeguard the lawful interests of service users. Professional discussions of complex cases, updates on forgery methods, examination of judicial decisions, and lessons drawn from incidents should become routine professional activities.

On the basis of these analyses, the study identifies two interdependent conditions: the information system enables the detection and retention of risk indicators, whereas a culture of responsibility determines the quality of the information provided. Without either condition, the warning mechanism is unlikely to realize its full preventive value. A well-structured data system cannot accurately reflect risks arising in practice if personnel lack the willingness to report them. Conversely, even a strong commitment to professional responsibility may not translate into effective preventive capacity unless information is promptly recorded, verified, and shared. Notary offices should therefore combine standardized reporting procedures with a working environment that encourages error detection, professional consultation, and proactive risk remediation, thereby improving the quality of internal controls.

4.5. Operational Model and Measures to Improve the Effectiveness of Internal Legal Risk Management

The preceding findings suggest that the legal risk management system in notary offices should operate as a continuous cycle in which each control activity serves both the processing of current cases and the generation of information for improving future governance. The study proposes a six-stage cycle comprising policy formulation; risk identification; risk assessment and prioritization; implementation of controls; monitoring, warning, and incident response; and system review and adjustment.

In principle, implementation should begin with an assessment of the operational characteristics of each notary office, including staffing levels, principal transaction categories, the extent of technological adoption, and commonly encountered risks. A model based on uniform principles does not necessarily require all notary offices to adopt identical organizational structures. Smaller offices may combine certain governance functions while maintaining essential control points, whereas offices handling larger transaction volumes should establish more detailed allocations of responsibility and may introduce dedicated quality control support functions suited to their operational conditions. To improve the operational framework, the study proposes five groups of measures.

First, internal risk management policies and procedures should be standardized. Each notary office should establish internal regulations clearly defining objectives, scope, responsibilities, reporting mechanisms, incident response procedures, and periodic reviews. These regulations must be aligned with statutory obligations, without introducing unnecessary administrative procedures or altering notaries' legally prescribed authority.

Second, a risk register and periodic assessment mechanism should be established. Risks should be classified according to procedural stages, severity of potential consequences, and controllability. Risks capable of producing serious legal consequences should receive priority even where they have not occurred frequently. Periodic assessments would allow control points to be adjusted in response to changes in legislation, technology, or methods of fraud.

Third, the quality of cross-checking and document controls should be improved. The use of checklists should become an internal governance requirement, applied selectively according to transaction categories, with records maintained of the persons conducting reviews and their findings. Segregation of duties should be designed to strengthen error detection rather than replace the legal liability of authorized persons.

Fourth, information infrastructure and internal warning mechanisms should be developed. Notary offices should select appropriate tools for recording incidents, updating their resolution status, and facilitating information retrieval when necessary. Data use must comply with confidentiality requirements and statutory limitations. Technology should support verification, monitoring, and warning functions but must not constitute the sole basis for notarization decisions.

Fifth, risk management competence and culture should be strengthened. Professional training should focus on identifying irregularities, legal assessment skills, accountability, and incident response. At the same time, notary offices should establish mechanisms for professional consultation, encourage timely reporting, and systematically

draw lessons from cases that provide useful warning information.

To assess operational feasibility, the study proposes a set of internal monitoring indicators focusing on procedural compliance, the quality of document assessment, the effectiveness of risk warnings, personnel accountability, and the capacity to remedy errors. These indicators would not

only reflect control outcomes but also help identify procedural stages at which legal liability risks may arise, thereby informing adjustments to resources and preventive measures. Nevertheless, these are proposed governance criteria requiring testing, evaluation, and refinement under the actual operational conditions of individual notary offices, rather than findings derived from empirical measurement.

Table 6: Proposed Indicators for Evaluating the Operation of the Legal Risk Management System

Dimension	Monitoring indicator	Governance significance
Procedural compliance	Percentage of case files for which all mandatory review steps have been completed	Assessing the extent of procedural compliance
Quality of legal assessment	Percentage of case files requiring supplementation or reassessment due to internal deficiencies	Identifying weaknesses in document processing
Risk warnings	Number of warnings recorded, verified, and addressed	Assessing risk detection and response activities
Records management	Percentage of records stored completely and within prescribed time limits	Monitoring the quality of post-notarization records management
Personnel competence	Percentage of personnel completing risk control training	Monitoring implementation capacity
System improvement	Percentage of corrective action recommendations implemented	Assessing the capacity to adjust procedures

The interpretation of these indicators requires caution. For example, an increase in the number of recorded warnings does not necessarily indicate a deterioration in professional practice quality; it may instead reflect improvements in the detection and documentation of risks. Similarly, cases requiring supplementary documentation must be distinguished according to whether deficiencies originate from incomplete submissions by persons requesting notarization or errors attributable to the notary office. The evaluation system should therefore combine monitoring data with an analysis of underlying causes, avoiding the reduction of indicators to merely formal performance targets.

Overall, the proposed model contributes by integrating three levels of governance: legal compliance, process control, and organizational learning. Legal compliance establishes mandatory boundaries; process control ensures that obligations are fulfilled systematically; and organizational learning enables preventive practices to be adjusted in response to emerging risks. These three levels are complementary but not interchangeable. A notary office with comprehensive procedures may still encounter risks where personnel fail to discharge their responsibilities. Conversely, strong individual competence may be insufficient to maintain consistent quality without coordination and review mechanisms. The findings therefore establish a theoretical foundation and organizational approach enabling notary offices to move from controls heavily dependent on individual experience toward structured, evidence-based, and adaptable risk management. Nevertheless, conclusions regarding the model's capacity to reduce disputes, losses, or compensation liability can be drawn only after implementation trials, data collection, and empirical evaluation.

5. Conclusion

The study clarifies the legal foundations, characteristics, and governance requirements of internal legal risk management in notary offices in Vietnam and proposes a model emphasizing risk prevention, control, and response throughout the professional process. The analysis identifies six core components: risk management policies, risk identification and assessment, segregation of control duties, standardization of document review procedures,

establishment of warning mechanisms, and development of a culture of professional responsibility. These components are mutually reinforcing, providing a basis for moving from controls dependent on individual experience toward a governance system with clearly defined procedures, responsibilities, and oversight mechanisms. The study contributes by connecting legal compliance requirements with internal control arrangements suited to the distinctive characteristics of notarial practice, thereby providing a reference for improving the organization and management of notary offices. Nevertheless, the proposed model is based on legal and theoretical analysis and has not been validated through empirical data. Further research should therefore assess its feasibility and operational effectiveness across notary offices of different sizes, providing a basis for refining the model and strengthening legal risk prevention in practice.

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