



EVERYDAY Notary Challenges



Presented by the **Pennsylvania Association of Notaries**

Everyday Notary Challenges Class Content

Seminar outline

1. Tips for Notarization
2. Working with Documents
3. Practice Documents
4. RULONA Exam Prep

Supplemental Information

- The Revised Uniform Law on Notarial Acts – page 48
- Glossary of Notary Terms – page 72

How a PAN membership can help you:

PAN guides you step-by-step through the notary application process, including a line-by-line review of your notary application before it goes to Harrisburg.

You have PAN's support in answering all your notary and motor vehicle questions via telephone, online Live Help, and email throughout your four-year notary commission.

PAN provides state-approved motor vehicle training in addition to state-approved notary training.

Your membership includes a subscription to our digital *Notary Notes* newsletter, filled with valuable reference material and educational articles.

ATTORNEYS APPLYING FOR CLE CREDIT

Pennsylvania Association of Notaries' (PAN's) three-hour Everyday Notary Challenges Seminar is approved for three substantive hours of Continuing Legal Education (CLE) credit.

PAN is obligated to adhere strictly to the requirements of the CLE program.

To those attending for CLE credit: Please complete your Continuing Education form and survey and submit them to the instructor at the end of class. If you forget to return the form, we cannot accept it at a later date. The regulations require that all forms be collected at the end of the class.

PENNSYLVANIA ASSOCIATION OF NOTARIES

One Gateway Center, Suite 401 • 420 Fort Duquesne Boulevard, Pittsburgh, PA 15222-1498
Phone: 800-944-8790 • Fax: 800-707-7075 • Email: PAN@notary.org • Website: www.notary.org

1

SECTION

Tips for Notarization

EVERYDAY
Notary Challenges

Demand Personal Appearance

When performing a notary act for a customer, they must appear in person before you.

Remember:

For a remote online notarization, personal appearance is accomplished when the notary and the customer meet online using state-approved audio-visual communication technology.

Identify Your Customer

There are various ways to determine a customer’s identity – personal knowledge and satisfactory evidence.

Personal Knowledge

Do you know your customer as a friend, neighbor, or relative with whom you’ve had shared experiences? Is this customer personally known to you because you have known them over a period of time and in a variety of situations? Your personal knowledge of your customer serves as proper identification because you are absolutely sure of who your customer is.

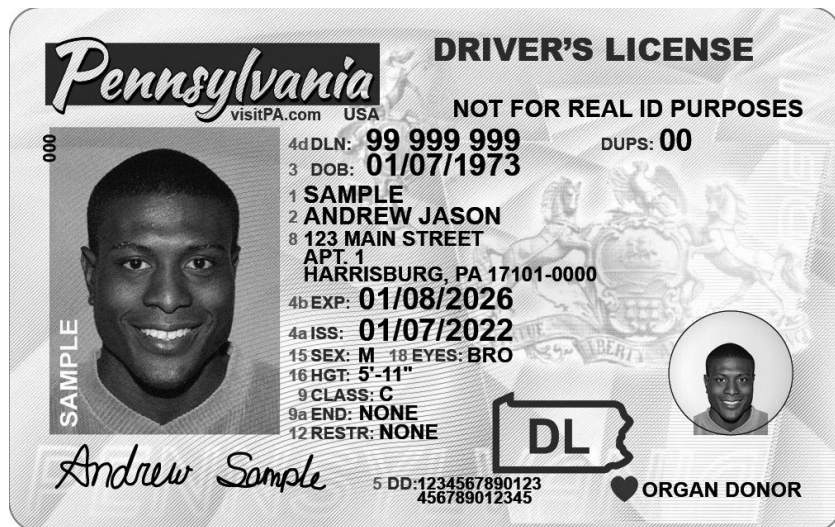
If you have any doubts at all about your customer’s identity, you should ask for satisfactory evidence.

Satisfactory Evidence

There are two types of satisfactory evidence defined in the Revised Uniform Law on Notarial Acts (RULONA) – acceptable identification and credible witness.

Acceptable identification is a form of current government-issued identification that contains a photograph or signature and is satisfactory to you, the notary.

NOTES & INSIGHTS: _____



Whether ID is REAL-ID compliant or not, it is acceptable for notary work.

You should carefully inspect identification to make sure it is valid.

Are there signs of tampering?

- Lamination peeling
- Font style inconsistencies
- Crooked photographs

Check both sides of the credential for language that indicates it is not government-issued.

Check for security features.

Does the customer look like the photograph?

If you are not satisfied with the ID presented, you may ask for another form of ID or refuse to notarize.

Remember:

Compare the signature on the document to the signature on the presented identification, if there is a signature on the identification. Are you satisfied the signatures were made by the same person?

Credible Witness

If your customer is not personally known to you and cannot provide acceptable identification, then you may rely on the testimony of a third person known as a credible witness.

Remember:

A credible witness must be personally known to you, must personally know your customer, and must appear before you with your customer present.

Before you perform the notary act for your customer, you must notarize a verification on oath or affirmation signed by the credible witness who must swear to or affirm that the following is true:

- The individual appearing before the notary is the person named in the document
- The credible witness personally knows the individual appearing before the notary
- The credible witness has no direct or financial interest in the document

Record the verification on oath or affirmation as a separate and complete notary act in your journal.

NOTES & INSIGHTS: _____

Consider the Competency and Willingness of Your Customer

Talk with the customer to determine if they understand the document presented for notarizing and the implications of the notary act they have asked you to perform. If you feel the customer does not comprehend or seems to be under stress from an accompanying individual, ask the other individual to leave the room until you determine competency and willingness.

If the accompanying individual refuses to leave the room, you have the right and obligation to refuse service.

You may determine a customer’s understanding by asking open-ended questions about the document.

* 1 – Acknowledgment, 2 – Verification on Oath or Affirmation, 3 – Signature Witnessing, 4 – Copy or Deposition Certification, 5 – Oath or Affirmation, 6 – Protest

	Date/Time of Notary Act				Type of Act*	Document Description (Include type or title)	Notary Fee	Clerical and/or Administrative Fees	Customer Name and Address
	Month	Day	Year	Time, AM/PM					
21	2	6	XX	3:41 PM	1	Power of Attorney	\$5	0	Susan Moore 22 Mockingbird Ln Anytown, PA 15xxx
X									
X									

Customer Name and Address	Identification Method	Identification Details (ID type and issue/expiration dates or name of Credible Witness)	Remarks (Do not record complete Social Security or driver's license numbers or other personal information)
Susan Moore 22 Mockingbird Ln Anytown, PA 15xxx	<input type="checkbox"/> Personal Knowledge <input checked="" type="checkbox"/> Acceptable ID <input type="checkbox"/> Credible Witness	PA Drivers License issued 4/1/20xx expires 4/2/20xx	Q. What effect will this POA have?
	<input type="checkbox"/> Personal Knowledge <input type="checkbox"/> Acceptable ID <input type="checkbox"/> Credible Witness		A. My son will have the power to sell my house and make any
	<input type="checkbox"/> Personal Knowledge <input type="checkbox"/> Acceptable ID <input type="checkbox"/> Credible Witness		money decisions for me while I am in the nursing home.

Review the Document

Review the document for blank spaces and the notary wording.

Do not notarize if the document is written or designed to contain information and the information is missing. If you find blank spaces, point them out to your customer. They may fill the blanks with information, print "N/A" or draw lines and initial the changes.

If there is no notary wording on the document, you may add it with the customer's permission.

Witness or Verify Customer Signature

Accepting Signatures

The individual appearing before you will always sign their own name.

As an Individual

When a customer signs in the capacity of an individual, PAN recommends the customer sign their name the way it appears in the document. With witnessing or attesting a signature and verification on oath or affirmation, you must witness the customer sign. With an acknowledgment, you may witness or authenticate the customer's signature.

John Doe

John Doe

Acknowledgment In an Individual Capacity

Commonwealth of Pennsylvania
County of Philadelphia

This record was acknowledged before me on XX/XX/20XX
by John Doe .

Although there may be more than one name in the document, concern yourself only with the names of the individuals who appear before you and have signed or will be signing. You may only notarize the signatures of individuals who appear before you.

In an Official Capacity

An individual may acknowledge their signature when signing in an official capacity (for example: an agent designated by a power of attorney (POA) or an officer of a corporation).

John Doe, Agent

Acknowledgment In a Representative Capacity

Commonwealth of Pennsylvania
County of Philadelphia

This record was acknowledged before me on XX/XX/20XX
by John Doe as agent who represent s that -he- is authorized
to act on behalf of Robert Smith.

An officer of a corporation normally makes a signature on behalf of a corporation as prescribed in the corporation's bylaws or charter.

Ace Security, Inc.

John Doe, Vice President

Acknowledgment In a Representative Capacity

Commonwealth of Pennsylvania
County of Philadelphia

This record was acknowledged before me on XX/XX/20XX
by John Doe ----- who represent s that
-he- is authorized to act on behalf of Ace Security Inc. .

Acknowledgment by an Attorney-at-Law

Commonwealth of Pennsylvania
County of Lycoming

This record was acknowledged before me on XX/XX/20XX
by Daniel Moore Supreme Court identification number
28462370 as a member of the bar of the Pennsylvania Supreme Court
certified that -he- was personally present when Matthew Collins
executed the record and that Matthew Collins
executed the record for the purposes contained therein.

Nonstandard Signatures

Some customers will be unable to sign their names because of illiteracy or disability.

There are alternative methods of signing. The customer may sign by mark, with a signature stamp, with assistance or designate another individual to sign on their behalf. In all circumstances, the customer must appear and communicate their understanding and willingness to sign.

Signature by Mark/Stamp

Someone who is illiterate or disabled may choose to make a mark – an “X” is common – on the line where a signature is required. You may read the document to the customer if necessary. Print or type the customer’s name and the words “his, her or their mark” near the signature line. A stamped signature by your customer follows this same process.

Assisted Signature

Someone who is physically unable to make a mark or stamp their signature can rest their hand on the hand of an individual holding the pen for them. However, to remain an impartial witness to the transaction, the notary should not be the individual holding the pen.

Signature of Designated Individual

If your customer is unable to sign using the other nonstandard methods, they may direct another person to sign a document. The customer and the designated signer must be present and properly identified at the time of the signing. The designated individual should sign their own name in such a way as to make it clear that forgery or fraud is not being attempted.

Remember:

Two witnesses are recommended when the customer signs by mark, with a stamp, with assistance or designates another to sign on their behalf. The notary normally may act as one of the witnesses as well as the notary on such a document.

Collect Your Fees

Notary fees are the fees you are permitted to charge for each type of notary act.

You may choose to charge fees or provide your services for free, but you are NOT permitted to charge more than the set fee for a particular notary act.

You may also charge clerical and administrative fees. Clerical and administrative fees are not regulated by the state. They must be recorded separately from notary fees in your journal.

Notary Public Fee Schedule

The Secretary of the Commonwealth Revised Notary Fees

Taking acknowledgment.....	\$5.00
Taking acknowledgment (each additional name).....	\$2.00
Administering oath or affirmation (per individual).....	\$5.00
Taking verification on oath or affirmation..... (no matter how many signatures)	\$5.00
Witnessing or attesting a signature (per signature).....	\$5.00
Certifying or attesting a copy or deposition.....	\$5.00
Noting a protest of a negotiable instrument (per page).....	\$3.00

If you do not charge a notary fee or a clerical and administrative fee, then print 0 (zero) or “N/C” for “no charge” in your journal.

If you charge fees, a schedule of notary fees must be displayed or a printed list of fees must be provided to customers upon request. If no fees are charged, you are not required to display a fee schedule.

You should provide the customer with an itemized receipt for all fees charged.

Sign and Apply Your Official Stamp

You must sign your name exactly and only as it appears on your notary commission. You should sign using a pen with permanent ink.

Complete your Journal Entry

Each notarization you complete requires a separate entry in your journal. Do not use ditto marks. It is required that you complete these entries before your customer walks out the door.

Do not change journal entries once they have been made. If you make a mistake and you realize before you have made another entry, draw a line through the entire entry and make the corrected entry in the next available space.

Do not record your customer’s personal information such as complete Social Security numbers, complete driver’s license numbers or complete account numbers in your journal. You may use terminal numbers (Example: the last four digits of a Social Security number).

* 1 – Acknowledgment, 2 – Verification on Oath or Affirmation, 3 – Signature Witnessing, 4 – Copy or Deposition Certification, 5 – Oath or Affirmation, 6 – Protest

	Date/Time of Notary Act				Type of Act*	Document Description (Include type or title)	Notary Fee	Clerical and/or Administrative Fees	Customer Name
	Month	Day	Year	Time, AM/PM					
21									
22									
23									

Customer Name and Address	Identification Method	Identification Details (ID type and issue/expiration dates or name of Credible Witness)	Remarks (Do not record complete Social Security or driver’s license numbers or other personal information)	
	<input type="checkbox"/> Personal Knowledge <input type="checkbox"/> Acceptable ID <input type="checkbox"/> Credible Witness			21
	<input type="checkbox"/> Personal Knowledge <input type="checkbox"/> Acceptable ID <input type="checkbox"/> Credible Witness			22
	<input type="checkbox"/> Personal Knowledge <input type="checkbox"/> Acceptable ID <input type="checkbox"/> Credible Witness			23

2

SECTION

Working with
Documents

EVERYDAY
Notary Challenges

Practice Documents

Sometimes you are faced with a document and you are unsure how to proceed. As a PAN member, you have access to resources to help you notarize documents. Call PAN Member Services at 800-944-8790 or chat online with a representative via Live Chat at www.notary.org. You can also fax documents to 800-707-7075.

Should the notary have notarized this document?

This is an agreement between Bobby Jones and me, Billy Thorn. I have in good faith loaned Bobby the sum of \$1,000 dollars and zero cents. He agrees to pay me back in full by Oct. 1, 20XX.

Bobby Jones

5/8/XX

Signature

Date

Billy Thorn

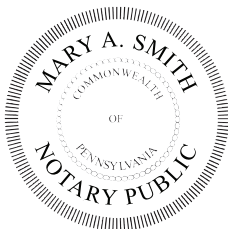
5/8/XX

Signature

Date

Mary A. Smith

5/8/XX



Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Elk County
My commission expires May 19, 20XX
Commission number 1548672
Member, Pennsylvania Association of Notaries

Review the document to be notarized

You don't have to read through the document word for word, but it is important that you scan through the document to determine if the document has blank spaces that could be filled in fraudulently. The document must also have the proper notary wording.

If you find blank spaces, point them out to your customer. The customer may fill them in with information, print "N/A" or draw lines through the blank spaces and initial them to help prevent fraud.

Certificate of notarial act (notary wording)

The notary wording includes a venue and a notary statement.

The venue is the location (state and county) where the notarization is taking place. It is required for all notary acts. You are responsible for correcting the venue if it is incorrect. If the venue is missing, you may add one with the customer's permission.

For example:

If the venue says "State of New York, County of Onondaga" and the notarization is taking place in Butler County, Pennsylvania, you must draw a line through New York and print Pennsylvania and draw a line through Onondaga and print Butler.

You do not need to change "State" to "Commonwealth."

The notary statement determines which notary act you are completing. The Notary Wording reference sheet (see page 19) will help you to determine the notary act. The Notary's Responsibilities reference sheet (see page 20) will show you what steps to follow once you have determined the notary act.

NOTARY WORDING

What you should look for in a document before you notarize:

The proper notary wording (Certificate of Notarial Act)

Step 1: Venue

- All documents need a venue
- The venue is the geographic location where the notarization is taking place
 - State and County
- You are responsible for the venue being correct

Venue Wording:

State or Commonwealth of Pennsylvania
County of _____

Step 2: Notary Statement

- The notary statement determines which notary act you are completing
- The most common notary acts are verifications on oath or affirmation and acknowledgments
- New with RULONA is witnessing or attesting a signature

Verification on Oath or Affirmation:

Signed and sworn to (or affirmed) before me on _____ by _____.

Sworn to and subscribed before me this _____ day of _____, 20____. *

Acknowledgment:

This record was acknowledged before me on _____
by _____.

On this, the ___ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name _____ subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained. *

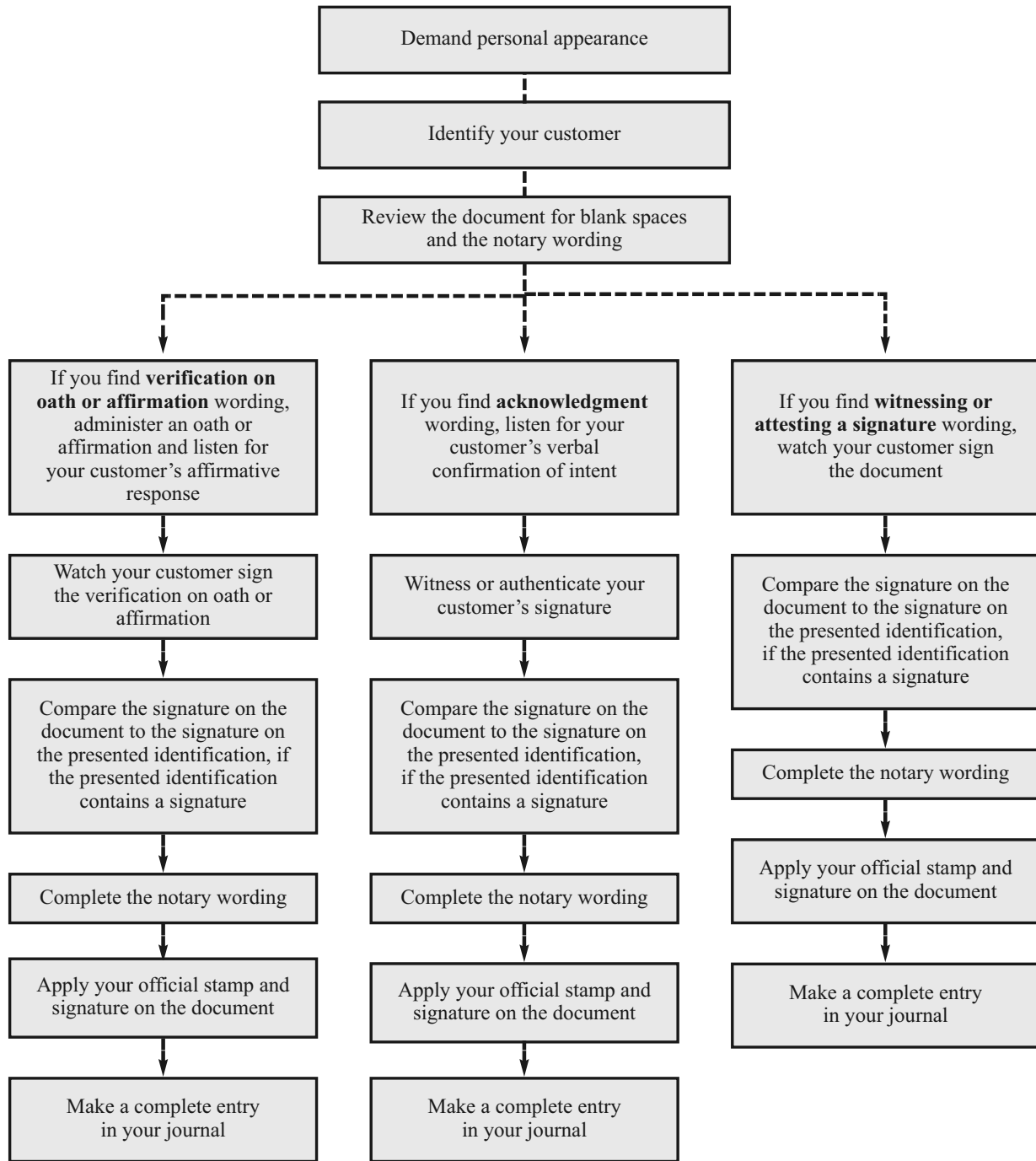
In witness whereof, I hereunto set my hand and official seal.

Witnessing or Attesting a Signature:

Signed (or attested) before me on _____
by _____.

* These notary statements pre-date RULONA. They are not obsolete.

NOTARY'S RESPONSIBILITIES



No notary wording

If there is no notary wording, ask the customer which notary act they want you to complete. You may explain the difference between a verification on oath or affirmation, acknowledgment, and witnessing or attesting a signature. Unless you are an attorney, you may not choose the notary act for the customer.

If the customer chooses a notary act, ask for permission to add or attach the notary wording to their document.

If there is space on the document, add the notary wording to the document itself OR if there is no space on the document, attach a separate piece of paper containing the notary wording.

If the customer cannot tell you which notary act they want, you should refuse to notarize.

Adding notary wording to the document

Make sure the document contains a venue and a notary statement.

Attaching notary wording to the document

When you add a separate piece of paper containing notary wording to the document, the pages should be secured together (example: stapled). You should cross reference the pages. On the document, we recommend printing something specific about the notary wording. On the attached notary wording, we recommend printing the customer's name and date and title of the document.

Whether you add or attach the notary wording, it is recommended you document in your journal the fact that the customer chose the notary act.

NOTES & INSIGHTS: _____

3

SECTION

Practice
Documents

EVERYDAY
Notary Challenges

Re: Golden Loan Association
Borrower: Fred S. Bush and
2536 North Elm Street, Ogden
Enclosed please find our check
referenced mortgage. This
If the above loan is a
authorization to have
If the amount enclosed is
amount to the principal b
"ON BEHALF OF THE BO
P.S. SECTION 681, YOU
CAPTIONED MORTGAG
DATE OF THIS REQUEST
IN ACCORDANCE WITH
Please forward all nec
appropriate County
A copy of this letter w
Please make no furth
funds in my/our acco
Agreed to and Ackr
Fred S. Bush Borro
Rose A. Bush Bor
Signed and swor
by
Public

Title Insurance Company
Commonwealth of Penn
County of _____
I, Robert Kahn
participating on a tear
group.
I further understand
an age group with o
my child participati
Witness my hand a
Signature of pare
Print parent's n
Signed (or atte
by
Notary Public
My commis

AFFIDAVIT OF UNAUTHORIZED DEBIT ACTIVITY
I, Tod Jones, being duly sworn, depose and say that I have examined
the attached statement or other notification from XYZ Bank (this financial
institution) indicating that a debit entry was charged to my account No. 55-88-99
on 7/18/XX in the amount of \$ 525.00 and the debit was unauthorized or
improper
An unauthorized debit means an electronic funds transfer from a consumer's
account initiated by a person not authorized by the consumer in writing to initiate
the transfer. An electronic fund transfer in an amount greater than authorized by
the consumer or which results in a debit to the consumer's account earlier than
authorized by the consumer is also an unauthorized debit. An unauthorized debit
does not include an electronic fund transfer initiated with fraudulent intent by the
consumer or any person acting in concert with the consumer.
Dated: 7/18/XX
Signature Tod Jones
State of _____
County of _____
On this, the ____ day of _____, 20____, before me _____, the
undersigned officer, personally appeared _____, the
(satisfactorily proven) to be the person _____ whose name _____ known to me or
within instrument, and acknowledged that _____ he _____ executed the same for the
purposes therein contained.
Signature _____
Title _____
My commission expires _____
(seal)

On the following pages we'll look at some practice documents together.

Then we will complete each document as a group.

Please stay together.

Take one minute to review each practice document using the Notary Wording reference sheet as a guide. Then I will ask you three questions:

1. Is there a venue on the document?
2. Is there a notary statement on the document?
3. If there is a notary statement on the document, which notary act are you being asked to complete?

Practice Document #1

County Land Title Insurance Company
2116 East Broadway Avenue, Suite L
Pittsburgh, PA 15222

Re: Golden Loan Association Loan #24689 Original Loan Amount \$55,000.00

Borrower: Fred S. Bush and Rose A. Bush, Husband and Wife
2536 North Elm Street, Ogden Twp, PA,

Enclosed please find our check # 295 in the amount of \$33,277.79 to satisfy the above referenced mortgage. This mortgage was recorded in Pike County ** BK 111 PG 3567

If the above loan is a line of credit, please accept our signature(s) below as an authorization to have the enclosed line of credit closed and the lien satisfied of record.

If the amount enclosed is insufficient to satisfy the Loan in Full. Please apply the enclosed amount to the principal balance and notify this office immediately.

"ON BEHALF OF THE BORROWER, AND IN ACCORDANCE WITH THE 21 P.S. SECTION 681, YOU ARE HEREBY REQUESTED TO MARK THE ABOVE CAPTIONED MORTGAGE SATISFIED OF RECORD WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF THIS REQUEST OR FORFEIT AND PAY UNTO THE MORTGAGORS THE PENAL SUM IN ACCORDANCE WITH 21 P.S. SECTION 682"

Please forward all necessary documentation to satisfy the line of record to the appropriate County

A copy of this letter with Photostatic signatures shall be effective in lieu of the original hereof. Please make no further disbursements from my/escrow account. Should there be any unused funds in my/our account or unearned interest, please refund same directly to me/us at:

2536 North Elm Street
Ogden Twp, PA

Agreed to and Acknowledged by:

Fred S. Bush Borrower

Rose A. Bush Borrower

Signed and sworn to (or affirmed) before me on (date) _____
by _____.

Notary Public

County Land Title Insurance Company
2116 East Broadway Avenue, Suite L
Pittsburgh, PA 15222

Re: Golden Loan Association Loan #24689 Original Loan Amount \$55,000.00

Borrower: Fred S. Bush and Rose A. Bush, Husband and Wife
2536 North Elm Street, Ogden Twp, PA,

Enclosed please find our check # 295 in the amount of \$33,277.79 to satisfy the above referenced mortgage. This mortgage was recorded in Pike County ** BK 111 PG 3567

If the above loan is a line of credit, please accept our signature(s) below as an authorization to have the enclosed line of credit closed and the lien satisfied of record.

If the amount enclosed is insufficient to satisfy the Loan in Full. Please apply the enclosed amount to the principal balance and notify this office immediately.

"ON BEHALF OF THE BORROWER, AND IN ACCORDANCE WITH THE 21 P.S. SECTION 681, YOU ARE HEREBY REQUESTED TO MARK THE ABOVE CAPTIONED MORTGAGE SATISFIED OF RECORD WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF THIS REQUEST OR FORFEIT AND PAY UNTO THE MORTGAGORS THE PENAL SUM IN ACCORDANCE WITH 21 P.S. SECTION 682"

Please forward all necessary documentation to satisfy the line of record to the appropriate County

A copy of this letter with Photostatic signatures shall be effective in lieu of the original hereof. Please make no further disbursements from my/escrow account. Should there be any unused funds in my/our account or unearned interest, please refund same directly to me/us at:

2536 North Elm Street
Ogden Twp, PA

Agreed to and Acknowledged by:

Fred S. Bush
Fred S. Bush Borrower

Rose A. Bush
Rose A. Bush Borrower

Commonwealth of Pennsylvania
County of Erie

Signed and sworn to (or affirmed) before me on (date) XX/XX/20XX
by Fred S. Bush & Rose A. Bush

Mary A. Smith
Notary Public

Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Elk County
My commission expires May 19, 20XX
Commission number 1548672
Member, Pennsylvania Association of Notaries

Solution:

There is no venue on the document. You add one with permission from the customers. The notary statement on the document "Signed and sworn to (or affirmed) before me," indicates you are completing a verification on oath or affirmation.

Practice Document #2

DO NOT RESUSCITATE STATEMENT

I, being of sound mind and with full understanding of the life and death implication of my instruction, in keeping with my right to refuse treatment, do not wish to be resuscitated in the event my heart should stop beating or I stop breathing.

Resident Signature_____

Date:_____

Notary Public Signature_____

Date:_____

Or

Witness Signature_____

Date:_____

Physician Signature_____

Date:_____

DO NOT RESUSCITATE STATEMENT

I, being of sound mind and with full understanding of the life and death implication of my instruction, in keeping with my right to refuse treatment, do not wish to be resuscitated in the event my heart should stop beating or I stop breathing.

Resident Signature _____

Date: _____

Notary Public Signature _____

Date: _____

Or

Witness Signature _____

Date: _____

Physician Signature _____

Date: _____

**Notary May
Refuse
to Notarize.**

Solution:

There is no venue or notary statement on the document. You offer the customer the option to choose the notary act. They are unable to choose, so you refuse to notarize.

Practice Document #3

Commonwealth of Pennsylvania
County of _____

I, Robert Kahn, acknowledge that my child, Ralf Kahn, is participating on a team and playing in an age group older than said child's actual playing age group.

I further understand that there are possible risks inherent in my child playing on a team and in an age group with older players and with that understanding I willingly assume any liability of my child participating in this manner.

Witness my hand and seal this _____ day of _____, _____.

Signature of parent

Print parent's name

Signed (or attested) before me on (date) _____
by _____.

Notary Public

My commission expires: _____

Commonwealth of Pennsylvania
County of Erie

I, Robert Kahn, acknowledge that my child, Ralf Kahn, is participating on a team and playing in an age group older than said child's actual playing age group.

I further understand that there are possible risks inherent in my child playing on a team and in an age group with older players and with that understanding I willingly assume any liability of my child participating in this manner.

Witness my hand and seal this XXth day of XXXXXX, 20XX.

Robert Kahn

Signature of parent

Robert Kahn

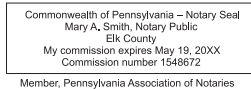
Print parent's name

Signed (or attested) before me on (date) XX/XX/20XX
by Robert Kahn.

Mary A. Smith

Notary Public

My commission expires: 5/19/20XX



Solution:

There is a venue at the top of the document. The notary statement on the document “Signed (or attested) before me,” indicates you are witnessing or attesting a signature.

Practice Document #4

SIGNATURE AFFIDAVIT

INSTRUCTIONS TO NOTARY

Please complete the AKA statement and Acknowledgment of Borrower Identity portion of this form obtain borrower's signature and notarize where indicated.

I, _____, certify that this is my true and correct signature

X _____

AKA STATEMENT

I, _____, certify that I am known as _____

Please sign on the lines below using each of the AKA names above

X _____

X _____

ACKNOWLEDGEMENT OF BORROWER IDENTITY

Identification Presented:

Driver's License

State ID

Passport

Other Government-Issued ID Card

State of _____

County of _____

This record was acknowledged before me on (date) _____

by _____.

Witness my hand and official seal _____, Notary Public

My commission expires: _____

SIGNATURE AFFIDAVIT

INSTRUCTIONS TO NOTARY

Please complete the AKA statement and Acknowledgment of Borrower Identity portion of this form obtain borrower's signature and notarize where indicated.

I, Joan Green, certify that this is my true and correct signature

X Joan Green

AKA STATEMENT

I, Joan Green, certify that I am known as Joanie Green

Please sign on the lines below using each of the AKA names above

X Joanie Green

X _____ JG

ACKNOWLEDGEMENT OF BORROWER IDENTITY

Identification Presented:

- X Driver's License
- __ State ID
- __ Passport
- __ Other Government-Issued ID Card

State of Pennsylvania
County of Erie

This record was acknowledged before me on (date) XX/XX/20XX
by Joan Green.

Witness my hand and official seal Mary A. Smith, Notary Public

My commission expires: May 19, 20XX

Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Erie County
My commission expires May 19, 20XX
Commission number 1548672
Member, Pennsylvania Association of Notaries

Solution:

There is a venue on the document. There is no need to change "State" to "Commonwealth."
The notary statement on the document "This record was acknowledged before me,"
indicates you are completing an acknowledgment.

Practice Document #5

IN WITNESS HEREOF:

I have been asked by my sister, Barbara Tree, to relate a conversation I had with her son (and my nephew) the late Michael Tree, in regards to his life insurance policy.

On the evening of Wednesday, October 20, 20XX, in my mother's home (Michael's grandmother, Ann Leaf) two nights prior to Michael's passing away, he informed me that his ex-wife Linda Stick, had requested that he name her as the beneficiary of his policy. Michael was upset about this request and stated to me that it was his wish that his mother, Barbara Tree, and his brother, Alexander Tree, remain as the co-beneficiaries of his life insurance policy.

I confirm that I, in no way initiated a conversation about his life insurance policy but that he freely volunteered this information as a result of his emotional state regarding this issue.

Tina K. Bridge

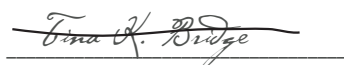
Tina K. Bridge

IN WITNESS HEREOF:

I have been asked by my sister, Barbara Tree, to relate a conversation I had with her son (and my nephew) the late Michael Tree, in regards to his life insurance policy.

On the evening of Wednesday, October 20, 20XX, in my mother's home (Michael's grandmother, Ann Leaf) two nights prior to Michael's passing away, he informed me that his ex-wife Linda Stick, had requested that he name her as the beneficiary of his policy. Michael was upset about this request and stated to me that it was his wish that his mother, Barbara Tree, and his brother, Alexander Tree, remain as the co-beneficiaries of his life insurance policy.

I confirm that I, in no way initiated a conversation about his life insurance policy but that he freely volunteered this information as a result of his emotional state regarding this issue.

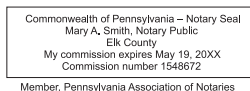

Tina K. Bridge



Commonwealth of Pennsylvania
County of Erie

Signed and sworn to (or affirmed) before me
on XX/XX/20XX by Tina K. Bridge .





Solution:

There is no notary wording on the document. You offered the customer options. She chose verification on oath or affirmation. With the customer's permission you add the venue and the notary statement.

Practice Document #6

Acknowledgment Form

I acknowledge I previously had a student loan(s) canceled due to a permanent disability. I further acknowledge that my physician has certified my impairment(s) so that I now have the ability to engage in gainful activity defined as able to work, earn money or attend school. I also acknowledge the student loan I am now applying for and may receive, and any subsequent impairments unless my physician certifies the impairment(s) has substantially deteriorated to the point of total and permanent disability.

Borrower's Signature

Date

Borrower's Printed Name

Borrower's Student ID Number

State of _____

County of _____

Signed and sworn to (or affirmed) before me on (date) _____
by _____.

(Seal)

Notary Public

Printed Name

Commission Expiration Date

Acknowledgment Form

I acknowledge I previously had a student loan(s) canceled due to a permanent disability. I further acknowledge that my physician has certified my impairment(s) so that I now have the ability to engage in gainful activity defined as able to work, earn money or attend school. I also acknowledge the student loan I am now applying for and may receive, and any subsequent impairments unless my physician certifies the impairment(s) has substantially deteriorated to the point of total and permanent disability.

Steve Swartz xxxxxx
Borrower's Signature Date

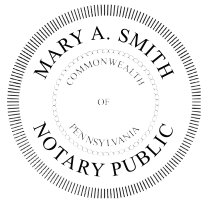
Steve Swartz 45703-934-76
Borrower's Printed Name Borrower's Student ID Number

State of Pennsylvania
County of Erie

Signed and sworn to (or affirmed) before me on (date) xx/xx/20xx
by Steve Swartz.

(Seal)

Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Erie County
My commission expires May 19, 20XX
Commission number 1548672
Member, Pennsylvania Association of Notaries



Mary A. Smith
Notary Public
Mary A. Smith
Printed Name
May 19th, 20xx
Commission Expiration Date

Solution:

There is a venue on the document. The notary statement on the document "Signed and sworn to (or affirmed) before me," indicates you are completing a verification on oath or affirmation.

Practice Document #7

POLICY RELEASE

In consideration of the sum of \$10,000 Dollars received by John K. Jones this 20th days of Sept. A.D. 20XX,
____ hereby release and discharge the New England Life Company of
and from any and all claims which I now have, or may have, under
policy of insurance heretofore, issued to me, by reason of damages paid
by Daniel K. Knowles to me for an auto accident on
August 1, 20XX.

Notary Public

POLICY RELEASE

In consideration of the sum of \$10,000 Dollars received by John K. Jones this 20th days of Sept. A.D. 20XX,
_____ hereby release and discharge the New England Life Company of
and from any and all claims which I now have, or may have, under
policy of insurance heretofore, issued to me, by reason of damages paid
by Daniel K. Knowles to me for an auto accident on
August 1, 20XX.

John K. Jones

State of Pennsylvania
County of Westmoreland

Signed (or attested) before me
on XX/XX/20XX by John K. Jones.

Mary A. Smith
Notary Public

Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Elk County
My commission expires May 19, 20XX
Commission number 1548672

Member, Pennsylvania Association of Notaries

Solution:

There is no notary wording on the document. Before you can ask which notary act the customer wants you to complete, he says “I want you to notarize my signature.” Witnessing or attesting a signature is nothing more than notarizing a signature. You add the notary wording with the customer’s permission.

Practice Document #8

AFFIDAVIT OF UNAUTHORIZED DEBIT ACTIVITY

I Tod Jones, being duly sworn, depose and say that I have examined the attached statement or other notification from XYZ Bank (this financial institution) indicating that a debit entry was charged to my account No. 55-88-99 on 7/18/XX in the amount of \$525.00 and the debit was unauthorized or improper

An unauthorized debit means an electronic funds transfer from a consumer's account initiated by a person not authorized by the consumer in writing to initiate the transfer. An electronic fund transfer in an amount greater than authorized by the consumer or which results in a debit to the consumer's account earlier than authorized by the consumer is also an unauthorized debit. An unauthorized debit does not include an electronic fund transfer initiated with fraudulent intent by the consumer or any person acting in concert with the consumer.

Dated: 7/18/XX

Signature Tod Jones

State of _____

County of _____

On this, the ____ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____ known to me or (satisfactorily proven) to be the person whose name _____ subscribed to within instrument, and acknowledged that ___ he ___ executed the same for the purposes therein contained.

Signature

My commission expires _____
(seal)

Title

AFFIDAVIT OF UNAUTHORIZED DEBIT ACTIVITY

I Tod Jones, being duly sworn, depose and say that I have examined the attached statement or other notification from XYZ Bank (this financial institution) indicating that a debit entry was charged to my account No. 55-88-99 on 7/18/XX in the amount of \$ 525.00 and the debit was unauthorized or improper

An unauthorized debit means an electronic funds transfer from a consumer's account initiated by a person not authorized by the consumer in writing to initiate the transfer. An electronic fund transfer in an amount greater than authorized by the consumer or which results in a debit to the consumer's account earlier than authorized by the consumer is also an unauthorized debit. An unauthorized debit does not include an electronic fund transfer initiated with fraudulent intent by the consumer or any person acting in concert with the consumer.

Dated: 7/18/XX

Signature Tod Jones

State of Pennsylvania
County of Erie

On this, the xth day of XXXX, 20XX, before me Mary A. Smith, the undersigned officer, personally appeared Tod Jones known to me or (satisfactorily proven) to be the person — whose name — is subscribed to within instrument, and acknowledged that — he — executed the same for the purposes therein contained.

Mary A. Smith
Signature

My commission expires 5/19/20XX
(seal)


Notary Public
Title


Commonwealth of Pennsylvania – Notary Seal
Mary A. Smith, Notary Public
Elk County
My commission expires May 19, 20XX
Commission number 1548672
Member, Pennsylvania Association of Notaries

Solution:

There is a venue on the document. The notary statement on the document is the acknowledgment wording that predates RULONA.

Practice Document #9

	<h2 style="margin: 0;">Employment Eligibility Verification</h2> <p style="margin: 0;">Department of Homeland Security U.S. Citizenship and Immigration Services</p>	<p>USCIS Form I-9 OMB No. 1615-0047 Expires 05/31/2027</p>				
<p>START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the Instructions.</p> <p>ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in Section 1, or specify which acceptable documentation employees must present for Section 2 or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.</p>						
<p>Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.</p>						
Last Name (Family Name)		First Name (Given Name)	Middle Initial (if any)	Other Last Names Used (if any)		
Address (Street Number and Name)			Apt. Number (if any)	City or Town	State ZIP Code	
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number		Employee's Email Address		Employee's Telephone Number	
<p>I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.</p>		Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):				
		<input type="checkbox"/> 1. A citizen of the United States				
		<input type="checkbox"/> 2. A noncitizen national of the United States (See Instructions.)				
		<input type="checkbox"/> 3. A lawful permanent resident (Enter USCIS or A-Number.) _____				
		<input type="checkbox"/> 4. A noncitizen (other than Item Numbers 2. and 3. above) authorized to work until (exp. date, if any) _____				
		If you check Item Number 4. , enter one of these:				
		USCIS A-Number	OR	Form I-94 Admission Number	OR	Foreign Passport Number and Country of Issuance
Signature of Employee			Today's Date (mm/dd/yyyy)			
<p>If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the Preparer and/or Translator Certification on Page 3.</p>						
<p>Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.</p>						
		List A	OR	List B	AND	List C
Document Title 1						
Issuing Authority						
Document Number (if any)						
Expiration Date (if any)						
Document Title 2 (if any)		Additional Information				
Issuing Authority						
Document Number (if any)						
Expiration Date (if any)						
Document Title 3 (if any)						
Issuing Authority						
Document Number (if any)						
Expiration Date (if any)						
<input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.						
<p>Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.</p>					First Day of Employment (mm/dd/yyyy):	
Last Name, First Name and Title of Employer or Authorized Representative			Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)	
Employer's Business or Organization Name			Employer's Business or Organization Address, City or Town, State, ZIP Code			
<p>For reverification or rehire, complete Supplement B, Reverification and Rehire on Page 4.</p>						
Form I-9 Edition 08/01/23						
Page 1 of 4						

	Employment Eligibility Verification Department of Homeland Security U.S. Citizenship and Immigration Services	USCIS Form I-9 OMB No. 1615-0047 Expires 05/31/2027																																																																														
<p>START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the Instructions.</p> <p>ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in Section 1, or specify which acceptable documentation employees must present for Section 2 or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.</p>																																																																																
<p>Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.</p>																																																																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Last Name (Family Name)</td> <td style="width: 20%;">First Name (Given Name)</td> <td style="width: 10%;">Middle Initial (if any)</td> <td style="width: 40%;">Other Last Names Used (if any)</td> </tr> <tr> <td colspan="2">Address (Street Number and Name)</td> <td>Apt. Number (if any)</td> <td>City or Town</td> </tr> <tr> <td colspan="2">State</td> <td colspan="2">ZIP Code</td> </tr> <tr> <td>Date of Birth (mm/dd/yyyy)</td> <td>U.S. Social Security Number</td> <td>Employee's Email Address</td> <td>Employee's Telephone Number</td> </tr> </table>			Last Name (Family Name)	First Name (Given Name)	Middle Initial (if any)	Other Last Names Used (if any)	Address (Street Number and Name)		Apt. Number (if any)	City or Town	State		ZIP Code		Date of Birth (mm/dd/yyyy)	U.S. Social Security Number	Employee's Email Address	Employee's Telephone Number																																																														
Last Name (Family Name)	First Name (Given Name)	Middle Initial (if any)	Other Last Names Used (if any)																																																																													
Address (Street Number and Name)		Apt. Number (if any)	City or Town																																																																													
State		ZIP Code																																																																														
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number	Employee's Email Address	Employee's Telephone Number																																																																													
<p>I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.</p>																																																																																
<p>Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):</p> <p><input type="checkbox"/> 1. A citizen of the United States</p> <p><input type="checkbox"/> 2. A noncitizen national of the United States (See Instructions.)</p> <p><input type="checkbox"/> 3. A lawful permanent resident (Enter USCIS or A-Number.)</p> <p><input type="checkbox"/> 4. A noncitizen (other than Item Numbers 2. and 3. above) authorized to work until (exp. date, if any) _____</p> <p>If you check Item Number 4., enter one of these:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">USCIS A-Number</td> <td style="width: 33%;">OR</td> <td style="width: 33%;">Form I-94 Admission Number</td> <td style="width: 33%;">OR</td> <td style="width: 33%;">Foreign Passport Number and Country of Issuance</td> </tr> </table>			USCIS A-Number	OR	Form I-94 Admission Number	OR	Foreign Passport Number and Country of Issuance																																																																									
USCIS A-Number	OR	Form I-94 Admission Number	OR	Foreign Passport Number and Country of Issuance																																																																												
<p>Signature of Employee _____ Today's Date (mm/dd/yyyy) _____</p>																																																																																
<p style="text-align: center;">If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the Preparer and/or Translator Certification on Page 3.</p>																																																																																
<p>Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign Section 2 within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.</p>																																																																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 10%;">List A</th> <th style="width: 10%;">OR</th> <th style="width: 10%;">List B</th> <th style="width: 10%;">AND</th> <th style="width: 10%;">List C</th> </tr> </thead> <tbody> <tr> <td>Document Title 1</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Issuing Authority</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Document Number (if any)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Expiration Date (if any)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Document Title 2 (if any)</td> <td colspan="5" style="text-align: center;">Additional Information</td> </tr> <tr> <td>Issuing Authority</td> <td colspan="5"></td> </tr> <tr> <td>Document Number (if any)</td> <td colspan="5"></td> </tr> <tr> <td>Expiration Date (if any)</td> <td colspan="5"></td> </tr> <tr> <td>Document Title 3 (if any)</td> <td colspan="5"></td> </tr> <tr> <td>Issuing Authority</td> <td colspan="5"></td> </tr> <tr> <td>Document Number (if any)</td> <td colspan="5"></td> </tr> <tr> <td>Expiration Date (if any)</td> <td colspan="5"></td> </tr> </tbody> </table> <p style="text-align: right;"><input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.</p>				List A	OR	List B	AND	List C	Document Title 1						Issuing Authority						Document Number (if any)						Expiration Date (if any)						Document Title 2 (if any)	Additional Information					Issuing Authority						Document Number (if any)						Expiration Date (if any)						Document Title 3 (if any)						Issuing Authority						Document Number (if any)						Expiration Date (if any)					
	List A	OR	List B	AND	List C																																																																											
Document Title 1																																																																																
Issuing Authority																																																																																
Document Number (if any)																																																																																
Expiration Date (if any)																																																																																
Document Title 2 (if any)	Additional Information																																																																															
Issuing Authority																																																																																
Document Number (if any)																																																																																
Expiration Date (if any)																																																																																
Document Title 3 (if any)																																																																																
Issuing Authority																																																																																
Document Number (if any)																																																																																
Expiration Date (if any)																																																																																
<p>Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.</p>																																																																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Last Name, First Name and Title of Employer or Authorized Representative</td> <td style="width: 20%;">Signature of Employer or Authorized Representative</td> <td style="width: 20%;">First Day of Employment (mm/dd/yyyy):</td> </tr> <tr> <td>Employer's Business or Organization Name</td> <td colspan="2">Employer's Business or Organization Address, City or Town, State, ZIP Code</td> </tr> </table>			Last Name, First Name and Title of Employer or Authorized Representative	Signature of Employer or Authorized Representative	First Day of Employment (mm/dd/yyyy):	Employer's Business or Organization Name	Employer's Business or Organization Address, City or Town, State, ZIP Code																																																																									
Last Name, First Name and Title of Employer or Authorized Representative	Signature of Employer or Authorized Representative	First Day of Employment (mm/dd/yyyy):																																																																														
Employer's Business or Organization Name	Employer's Business or Organization Address, City or Town, State, ZIP Code																																																																															
<p style="text-align: center;">For reverification or rehire, complete Supplement B, Reverification and Rehire on Page 4.</p>																																																																																
<p>Form I-9 Edition 08/01/23 Page 1 of 4</p>																																																																																

Solution:

Do not notarize Form I-9. There is no notary wording on it. If you complete the form as a company representative, do not place your notary stamp or use your title, "Notary Public."

Supplemental
SECTION

Revised
Uniform
Law on
Notarial Acts
(RULONA)

EVERYDAY
Notary Challenges

**NOTARIES PUBLIC (57 PA.C.S.)
CHAPTER 3
REVISED UNIFORM LAW ON NOTARIAL ACTS**

Section

- 301. Short title of chapter.**
- 302. Definitions.**
- 303. Applicability.**
- 304. Authority to perform notarial act.**
- 305. Requirements for certain notarial acts.**
- 306. Personal appearance required.**
- 306.1. Notarial act performed for remotely located individual.**
- 307. Identification of individual.**
- 308. Authority to refuse to perform notarial act.**
- 309. Signature if individual unable to sign (Reserved).**
- 310. Notarial act in this Commonwealth.**
- 311. Notarial act in another state.**
- 312. Notarial act under authority of federally recognized Indian tribe.**
- 313. Notarial act under Federal authority.**
- 314. Foreign notarial act.**
- 315. Certificate of notarial act.**
- 316. Short form certificates.**
- 317. Official stamp.**
- 318. Stamping device.**
- 319. Journal.**
- 320. Notification regarding performance of notarial act on electronic record; selection of technology.**
- 321. Appointment and commission as notary public; qualifications; no immunity or benefit.**
- 322. Examination, basic education and continuing education.**
- 323. Sanctions.**
- 324. Database of notaries public.**
- 325. Prohibited acts.**
- 326. Validity of notarial acts.**
- 327. Regulations.**
- 328. Notary public commission in effect.**
- 329. Savings clause.**
- 329.1. Fees of notaries public.**
- 330. Uniformity of application and construction.**
- 331. Relation to Electronic Signatures in Global and National Commerce Act.**

§ 301. Short title of chapter.

This chapter shall be known and may be cited as the Revised Uniform Law on Notarial Acts.

§ 302. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Acknowledgment.” A declaration by an individual before a notarial officer that:

- (1) the individual has signed a record for the purpose stated in the record; and
- (2) if the record is signed in a representative capacity, the individual signed the record with proper authority and signed it as the act of the individual or entity identified in the record.

“Bureau.” The Bureau of Commissions, Elections and Legislation.

“Conviction.” Whether or not judgment of sentence has been imposed, any of the following:

- (1) An entry of a plea of guilty or nolo contendere.
- (2) A guilty verdict, whether after trial by judge or by jury.
- (3) A finding of not guilty due to insanity or of guilty but mentally ill.

“Department.” The Department of State of the Commonwealth.

“Electronic.” Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

“Electronic signature.” An electronic symbol, sound or process attached to or logically associated with a record and executed or adopted by an individual with the intent to sign the record.

“In a representative capacity.” Acting as:

- (1) an authorized officer, agent, partner, trustee or other representative for a person other than an individual;
- (2) a public officer, personal representative, guardian or other representative, in the capacity stated in a record;
- (3) an agent or attorney-in-fact for a principal; or
- (4) an authorized representative of another in any other capacity.

“Notarial act.” An act, whether performed with respect to a tangible or electronic record, that a notarial officer may perform under the laws of this Commonwealth. The term includes:

- (1) taking an acknowledgment;
- (2) administering an oath or affirmation;
- (3) taking a verification on oath or affirmation;
- (4) witnessing or attesting a signature;
- (5) certifying or attesting a copy or deposition; and
- (6) noting a protest of a negotiable instrument.

“Notarial officer.” A notary public or other individual authorized to perform a notarial act.

“Notary public.” An individual commissioned to perform a notarial act by the department.

“Official stamp.” A physical image affixed to or embossed on a tangible record or an electronic image attached to or logically associated with an electronic record. The term includes a notary seal.

“Person.” Any of the following:

- (1) Any individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association, joint venture or public corporation.
- (2) A government or governmental subdivision, agency or instrumentality.
- (3) Any other legal or commercial entity.

“Record.” Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

“Recorder of deeds.” A county recorder of deeds or an official with similar duties and responsibilities. The term includes the commissioner of records of a county of the first class and the manager of the department of real estate of a county of the second class.

“Secretary.” The Secretary of the Commonwealth.

“Sign.” With present intent to authenticate or adopt a record:

- (1) to execute or adopt a tangible symbol; or
- (2) to attach to or logically associate with the record an electronic symbol, sound or process.

“Signature.” A tangible symbol or an electronic signature which evidences the signing of a record.

“Stamping device.” Any of the following:

- (1) A physical device capable of affixing to or embossing on a tangible record an official stamp.
- (2) An electronic device or process capable of attaching to or logically associating with an electronic record an official stamp.

“State.” A state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

“Verification on oath or affirmation.” A declaration, made by an individual on oath or affirmation before a notarial officer, that a statement in a record is true. The term includes an affidavit.

§ 303. Applicability.

This chapter applies to a notarial act performed on or after the effective date of this chapter.

§ 304. Authority to perform notarial act.

(a) Permitted.--A notarial officer may perform a notarial act authorized by this chapter or by statutory provision other than this chapter.

(b) Prohibited.--

- (1) A notarial officer may not perform a notarial act with respect to a record in which the notarial officer or the notarial officer’s spouse has a direct or pecuniary interest.
- (2) For the purpose of this subsection, none of the following shall constitute a direct or pecuniary interest:
 - (i) being a shareholder in a publicly traded company that is a party to the notarized transaction;
 - (ii) being an officer, director or employee of a company that is a party to the notarized transaction, unless the director, officer or employee personally benefits from the transaction other than as provided under subparagraph (iii); or
 - (iii) receiving a fee that is not contingent upon the completion of the notarized transaction.

(3) A notarial act performed in violation of this subsection is voidable.

(c) Certification of tangible copies.--A notarial officer may certify that a tangible copy of an electronic record is a true and correct copy of the electronic record.

§ 305. Requirements for certain notarial acts.

(a) Acknowledgments.--A notarial officer who takes an acknowledgment of a record shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, all of the following:

(1) The individual appearing before the notarial officer and making the acknowledgment has the identity claimed.

(2) The signature on the record is the signature of the individual.

(b) Verifications.--A notarial officer who takes a verification of a statement on oath or affirmation shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, all of the following:

(1) The individual appearing before the notarial officer and making the verification has the identity claimed.

(2) The signature on the statement verified is the signature of the individual.

(c) Signatures.--A notarial officer who witnesses or attests to a signature shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, all of the following:

(1) The individual appearing before the notarial officer and signing the record has the identity claimed.

(2) The signature on the record is the signature of the individual.

(d) Copies.--A notarial officer who certifies or attests a copy of a record or an item which was copied shall determine that the copy is a complete and accurate transcription or reproduction of the record or item.

(e) Negotiable instruments.--A notarial officer who makes or notes a protest of a negotiable instrument shall determine the matters set forth in 13 Pa.C.S. § 3505(b) (relating to evidence of dishonor).

§ 306. Personal appearance required.

If a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing the signature shall appear personally before the notarial officer.

§ 306.1. Notarial act performed for remotely located individual.

(a) General rule.--A remotely located individual may comply with section 306 (relating to personal appearance required) by appearing before a notary public by means of communication technology.

(b) Use of communication technology.--A notary public located in this Commonwealth may perform a notarial act facilitated by communication technology for a remotely located individual if all of the following apply:

(1) The notary public:

(i) has personal knowledge under section 307(a) (relating to identification of individual) of the identity of the individual;

(ii) has satisfactory evidence of the identity of the remotely located individual by oath or affirmation from a credible witness appearing before the notary public under section 307(b)(2) or under this section; or

(iii) is able to reasonably identify the individual by at least two different types of identity proofing processes or services.

(2) The notary public is able to reasonably identify a record before the notary public as the same record:

(i) in which the remotely located individual made the statement; or

(ii) on which the remotely located individual executed the signature.

(3) The notary public, or a person acting on behalf of the notary public, creates an audio-visual recording of the performance of the notarial act, including all interactions between the notary public and the remotely located individual.

(4) If the remotely located individual is located outside the United States, all of the following apply:

(i) The record:

(A) is to be filed with or relates to a matter before a court, governmental entity, public official or other entity under the jurisdiction of the United States; or

(B) involves:

(I) property located in the territorial jurisdiction of the United States; or

(II) a transaction substantially connected with the United States.

(ii) The act of making the statement or signing the record is not prohibited by the foreign state where the remotely located individual is located.

(c) Notarial certificate.--If a notarial act is subject to this section, the certificate of notarial act required by section 315 (relating to certificate of notarial act) and the short form certificate under section 316 (relating to short form certificates) must indicate that the notarial act was performed by means of communication technology.

(d) Sufficiency.--A short form certificate under section 316 for a notarial act subject to this section is sufficient if either of the following apply:

(1) The short form certificate is in the form provided by section 316 and contains a statement substantially as follows:

“This notarial act involved the use of communication technology.”

(2) The certificate complies with the regulations promulgated under subsection (g)(1).

(e) Audio-visual recording.--The following apply:

(1) This subsection applies to:

(i) a notary public;

(ii) a guardian, a conservator or an agent of a notary public; or

(iii) a personal representative of a deceased notary public.

(2) A person under paragraph (1) shall retain the audio-visual recording created under subsection (b)(3) or cause the recording to be retained by a repository designated by or on behalf of the notary public. The person shall retain the recording:

(i) for at least 10 years after the recording is created; or

(ii) as otherwise required by the regulations promulgated under subsection (g)(4).

(f) Notification.--The following apply:

(1) Before a notary public performs the notary public's initial notarial act under this section, the notary public must notify the department that the notary public will be performing notarial acts facilitated by communication technology and identify the technology.

(2) If the department has established standards for approval of communication technology or identity proofing under subsection (g) and section 327 (relating to regulations), the communication technology and identity proofing must conform to the standards.

(g) Regulations.--In addition to matters listed in section 327, the department shall promulgate regulations regarding performance of a notarial act performed under this section.

The regulations shall do all of the following:

(1) Prescribe the means of performing a notarial act involving communication technology to communicate with a remotely located individual.

(2) Establish standards for communication technology and identity proofing.

This paragraph includes the use of credential analysis, dynamic knowledge-based authentication, biometrics and other means of identification.

(3) Establish requirements or procedures to approve providers of communication technology and the process of identity proofing.

(4) Establish standards and periods for the retention of an audio-visual recording created under subsection (b)(3) of the performance of a notarial act.

(h) Promotion of uniformity.--Before promulgating, amending or repealing regulations about the performance of a notarial act with respect to a remotely located individual, the department shall consider, if consistent with this chapter, all of the following:

(1) The most recent standards regarding the performance of a notarial act with respect to remotely located individuals promulgated by a national standard-setting organization. This paragraph includes the National Association of Secretaries of State.

(2) Standards, practices and customs of other jurisdictions that enact a statutory provision substantially similar to this section.

(3) The views of governmental officials and entities and other interested persons.

(i) **Definitions.**--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Communication technology." An electronic device or process that:

(1) allows a notary public located in this Commonwealth and a remotely located individual to communicate with each other simultaneously by sight and sound; and

(2) makes reasonable accommodations for an individual with a vision, hearing or speech impairment in accordance with law.

"Foreign state." A jurisdiction other than the United States, a state or a federally recognized Indian tribe.

"Identity proofing." A process or service by which a third person provides a notary public with a means to verify the identity of a remotely located individual by a review of personal information from public or private data sources.

“Outside the United States.” A location outside the geographic boundaries of:

- (1) the United States;
- (2) Puerto Rico;
- (3) the Virgin Islands; and
- (4) any territory, insular possession or other location subject to the jurisdiction of the United States.

“Remotely located individual.” An individual who is not in the physical presence of the notary public performing a notarial act under subsection (b).

§ 307. Identification of individual.

(a) Personal knowledge.--A notarial officer has personal knowledge of the identity of an individual appearing before the notarial officer if the individual is personally known to the notarial officer through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

(b) Satisfactory evidence.--A notarial officer has satisfactory evidence of the identity of an individual appearing before the notarial officer if the notarial officer can identify the individual as set forth in any of the following paragraphs:

- (1) By means set forth in any of the following subparagraphs:
 - (i) A passport, driver’s license or government-issued nondriver identification card, which is current and unexpired.
 - (ii) Another form of government identification issued to an individual, which:
 - (A) is current;
 - (B) contains the signature or a photograph of the individual; and
 - (C) is satisfactory to the notarial officer.
- (2) By a verification on oath or affirmation of a credible witness personally appearing before the notarial officer and personally known to the notarial officer.

(c) Discretion.--A notarial officer may require an individual to provide additional information or identification credentials necessary to assure the notarial officer of the identity of the individual.

§ 308. Authority to refuse to perform notarial act.

(a) Specific refusal.--A notarial officer may refuse to perform a notarial act if the notarial officer is not satisfied that:

- (1) the individual executing the record is competent or has the capacity to execute the record;
- (2) the individual’s signature is knowingly and voluntarily made;
- (3) the individual’s signature on the record or statement substantially conforms to the signature on a form of identification used to determine the identity of the individual; or
- (4) the physical appearance of the individual signing the record or statement substantially conforms to the photograph on a form of identification used to determine the identity of the individual.

(b) General refusal.--A notarial officer may refuse to perform a notarial act unless refusal is prohibited by law other than this chapter.

§ 309. Signature if individual unable to sign (Reserved).

§ 310. Notarial act in this Commonwealth.

(a) Eligible individuals.--A notarial act may be performed in this Commonwealth by any of the following:

- (1) A judge of a court of record.
- (2) A clerk, prothonotary or deputy prothonotary or deputy clerk of a court having a seal.
- (3) Any of the following:
 - (i) A recorder of deeds.
 - (ii) A deputy recorder of deeds.
 - (iii) A clerk of a recorder of deeds to the extent authorized by:
 - (A) section 1 of the act of May 17, 1949 (P.L.1397, No.414), entitled "An act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations";
 - (B) section 1312 of the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code; or
 - (C) section 1313 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code.
- (4) A notary public.
- (5) A member of the minor judiciary. As used in this paragraph, the term "minor judiciary" has the meaning given in 42 Pa.C.S. § 102 (relating to definitions).
- (6) An individual authorized by law to perform a specific notarial act.

(b) Prima facie evidence.--The signature and title of an individual performing a notarial act in this Commonwealth are prima facie evidence that:

- (1) the signature is genuine; and
- (2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1), (2), (3), (4) or (5) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 311. Notarial act in another state.

(a) Effect.--A notarial act performed in another state has the same effect under the law of this Commonwealth as if performed by a notarial officer of this Commonwealth if the act performed in that state is performed by any of the following:

- (1) A notary public of that state.
- (2) A judge, clerk or deputy clerk of a court of that state.
- (3) An individual authorized by the law of that state to perform the notarial act.

(b) Prima facie evidence.--The signature and title of an individual performing a notarial act in another state are prima facie evidence that:

- (1) the signature is genuine; and
- (2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1) or (2) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 312. Notarial act under authority of federally recognized Indian tribe.

(a) Effect.--A notarial act performed under the authority and in the jurisdiction of a federally recognized Indian tribe has the same effect as if performed by a notarial officer of this Commonwealth if the act performed in the jurisdiction of the tribe is performed by any of the following:

- (1) A notary public of the tribe.
- (2) A judge, clerk or deputy clerk of a court of the tribe.
- (3) An individual authorized by the law of the tribe to perform the notarial act.

(b) Prima facie evidence.--The signature and title of an individual performing a notarial act under the authority of and in the jurisdiction of a federally recognized Indian tribe are prima facie evidence that:

- (1) the signature is genuine; and
- (2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1) or (2) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 313. Notarial act under Federal authority.

(a) Effect.--A notarial act performed under Federal law has the same effect under the law of this Commonwealth as if performed by a notarial officer of this Commonwealth if the act performed under Federal law is performed by any of the following:

- (1) A judge, clerk or deputy clerk of a court.
- (2) An individual in military service or performing duties under the authority of military service who is authorized to perform notarial acts under Federal law.
- (3) An individual designated a notarizing officer by the United States Department of State for performing notarial acts overseas.
- (4) An individual authorized by Federal law to perform the notarial act.

(b) Prima facie evidence.--The signature and title of an individual acting under Federal authority and performing a notarial act are prima facie evidence that:

- (1) the signature is genuine; and
- (2) the individual holds the designated title.

(c) Conclusive determination.--The signature and title of a notarial officer described in subsection (a)(1), (2) or (3) conclusively establish the authority of the notarial officer to perform the notarial act.

§ 314. Foreign notarial act.

(a) (Reserved).

(b) Effect.--

- (1) This subsection applies to a notarial act:
 - (i) performed under authority and in the jurisdiction of a foreign state or constituent unit of the foreign state; or
 - (ii) performed under the authority of a multinational or international governmental organization.

(2) A notarial act under paragraph (1) has the same effect under the law of this Commonwealth as if performed by a notarial officer of this Commonwealth.

(c) Conclusive establishment.--If the title of office and indication of authority to perform notarial acts in a foreign state appears in a digest of foreign law or in a list customarily used as a source for that information, the authority of an officer with that title to perform notarial acts is conclusively established.

(d) Prima facie evidence.--The signature and official stamp of an individual holding an office described in subsection (c) are prima facie evidence that:

- (1) the signature is genuine; and
- (2) the individual holds the designated title.

(e) Hague Convention.--

- (1) This subsection applies to an apostille which is:
 - (i) in the form prescribed by the Hague Convention of October 5, 1961; and
 - (ii) issued by a foreign state party to the Hague Convention.
- (2) An apostille under paragraph (1) conclusively establishes that:
 - (i) the signature of the notarial officer is genuine; and
 - (ii) the notarial officer holds the indicated office.

(f) Consular authentications.--

- (1) This subsection applies to a consular authentication:
 - (i) issued by an individual designated by the United States Department of State as a notarizing officer for performing notarial acts overseas; and
 - (ii) attached to the record with respect to which the notarial act is performed.
- (2) A consular authentication under paragraph (1) conclusively establishes that:
 - (i) the signature of the notarial officer is genuine; and
 - (ii) the notarial officer holds the indicated office.

(g) Definition.--As used in this section, the term "foreign state" means a government other than the United States, a state or a federally recognized Indian tribe.

§ 315. Certificate of notarial act.

(a) Requirements.--

- (1) A notarial act shall be evidenced by a certificate.
- (2) Regardless of whether the notarial officer is a notary public, the certificate must:
 - (i) be executed contemporaneously with the performance of the notarial act;
 - (ii) be signed and dated by the notarial officer;
 - (iii) identify the county and State in which the notarial act is performed; and
 - (iv) contain the title of office of the notarial officer.
- (3) If the notarial officer is a notary public, all of the following subparagraphs apply:
 - (i) The notary public must:
 - (A) sign the notary public's name exactly and only as it appears on the commission; or
 - (B) execute the notary public's electronic signature in a manner which attributes the signature to the notary public identified in the commission.
 - (ii) The certificate must indicate the date of expiration of the notarial officer's commission.

(b) Official stamp.--

(1) If a notarial act regarding a tangible record is performed by a notary public, an official stamp shall be affixed to the certificate near the notary public's signature in a form capable of photographic reproduction.

(2) If a notarial act is performed regarding a tangible record by a notarial officer other than a notary public and the certificate contains the information specified in subsection (a)(2)(ii), (iii) and (iv), an official stamp may be affixed to the certificate.

(3) If a notarial act regarding an electronic record is performed by a notary public and the certificate contains the information specified in subsection (a)(2)(ii), (iii) and (iv) and (3), an official stamp may be attached to or logically associated with the certificate.

(4) If a notarial act regarding an electronic record is performed by a notarial officer other than a notary public and the certificate contains the information specified in subsection (a)(2)(ii), (iii) and (iv), an official stamp may be attached to or logically associated with the certificate.

(c) Sufficiency.--A certificate of a notarial act is sufficient if it meets the requirements of subsections (a) and (b) and:

(1) is in a short form set forth in section 316 (relating to short form certificates);

(2) is in a form otherwise permitted by a statutory provision;

(3) is in a form permitted by the law applicable in the jurisdiction in which the notarial act was performed; or

(4) sets forth the actions of the notarial officer and the actions are sufficient to meet the requirements of the notarial act as provided in:

(i) sections 305 (relating to requirements for certain notarial acts), 306 (relating to personal appearance required) and 307 (relating to identification of individual); or

(ii) a statutory provision other than this chapter.

(d) Effect.--By executing a certificate of a notarial act, a notarial officer certifies that the notarial officer has complied with the requirements and made the determinations specified in sections 304 (relating to authority to perform notarial act), 305 and 306.

(e) Prohibition.--A notarial officer may not affix the notarial officer's signature to or logically associate it with a certificate until the notarial act has been performed.

(f) Process.--

(1) If a notarial act is performed regarding a tangible record, a certificate shall be part of or securely attached to the record.

(2) If a notarial act is performed regarding an electronic record, the certificate shall be affixed to or logically associated with the electronic record.

(3) If the department has established standards under section 327 (relating to regulations) for attaching, affixing or logically associating the certificate, the process must conform to the standards.

§ 316. Short form certificates.

The following short form certificates of notarial acts are sufficient for the purposes indicated if completed with the information required by section 315(a) and (b) (relating to certificate of notarial act):

- (1) For an acknowledgment in an individual capacity:
State of.....
County of.....
This record was acknowledged before me on
(date).....
by (name(s) of individual(s)).....
Signature of notarial officer.....
Stamp
.....
Title of office.....
My commission expires:.....
- (2) For an acknowledgment in a representative capacity:
State of.....
County of.....
This record was acknowledged before me on
(date).....
by (name(s) of individual(s)).....
as (type of authority, such as officer or trustee).....
.....
who represent that (he, she or they) are authorized to act
on behalf of (name of party on behalf of whom record was
executed)
.....
Signature of notarial officer.....
Stamp
.....
Title of office.....
My commission expires:.....
- (2.1) For an acknowledgment by an attorney at law pursuant to 42
Pa.C.S. § 327 (relating to oaths and acknowledgments):
State of.....
County of.....
This record was acknowledged before me on
(date).....
by (name of attorney).....
Supreme Court identification number.....

as a member of the bar of the Pennsylvania Supreme Court certified that he/she was personally present when (name(s) of individual(s)) executed the record and that (name(s) of individual(s)) executed the record for the purposes contained therein.

Signature of notarial officer.....
Stamp

.....

Title of office.....

My commission expires:.....

(3) For a verification on oath or affirmation:

State of.....

County of.....

Signed and sworn to (or affirmed) before me on
(date).....

by (name(s) of individual(s) making statement).....

Signature of notarial officer.....

Stamp

.....

Title of office.....

My commission expires:.....

(4) For witnessing or attesting a signature:

State of.....

County of.....

Signed (or attested) before me on
(date).....

by (name(s) of individual(s)).....

.....

Signature of notarial officer.....

Stamp

.....

Title of office.....

My commission expires:.....

(5) For certifying a copy of a record:

State of.....

County of.....

I certify that this is a true and correct copy of a
in the possession of

Dated.....

Signature of notarial officer.....

Stamp

.....

Title of office.....

My commission expires:.....

(6) For certifying the transcript of a deposition:

State of.....

County of.....

I certify that this is a true and correct copy of the transcript of the deposition of

Dated.....

Signature of notarial officer.....

Stamp

.....

Title of office:.....

My commission expires:.....

§ 317. Official stamp.

The following shall apply to the official stamp of a notary public:

(1) A notary public shall provide and keep an official seal, which shall be used to authenticate all the acts, instruments and attestations of the notary public. The seal must be a rubber stamp and must show clearly in the following order:

- (i) The words "Commonwealth of Pennsylvania."
- (ii) The words "Notary Seal."
- (iii) The name as it appears on the commission of the notary public and the words "Notary Public."
- (iv) The name of the county in which the notary public maintains an office.
- (v) The date the notary public's commission expires.
- (vi) Any other information required by the department.

(2) The seal must have a maximum height of one inch and width of three and one-half inches, with a plain border.

(3) The seal must be capable of being copied together with the record to which it is affixed or attached or with which it is logically associated.

§ 318. Stamping device.

(a) Security.--

(1) A notary public is responsible for the security of the stamping device of the notary public. A notary public may not allow another individual to use the device to perform a notarial act.

(2) On resignation of a notary public commission or on the expiration of the date set forth in the stamping device, the notary public shall disable the stamping device by destroying, defacing, damaging, erasing or securing it against use in a manner which renders it unusable.

(2.1) An individual whose notary public commission has been suspended or revoked shall surrender possession of the stamping device to the department.

(3) On the death or adjudication of incompetency of a notary public, the personal representative or guardian of the notary public or any person knowingly in possession of the stamping device shall render it unusable by destroying, defacing, damaging, erasing or securing it against use in a manner which renders it unusable.

(b) Loss or theft.--If a stamping device is lost or stolen, the notary public or the personal representative or guardian of the notary public shall notify the department promptly upon discovering that the device is lost or stolen.

§ 319. Journal.

(a) Maintenance.--A notary public shall maintain a journal in which the notary public records in chronological order all notarial acts that the notary public performs.

(b) Format.--A journal may be created on a tangible medium or in an electronic format. A notary public may maintain a separate journal for tangible records and for electronic records. If the journal is maintained on a tangible medium, it shall be a bound register with numbered pages. If the journal is maintained in an electronic format, it shall be in a tamper-evident electronic format complying with the regulations of the department.

(c) Entries.--An entry in a journal shall be made contemporaneously with performance of the notarial act and contain all of the following information:

- (1) The date and time of the notarial act.
- (2) A description of the record, if any, and type of notarial act.
- (3) The full name and address of each individual for whom the notarial act is performed.
- (4) If identity of the individual is based on personal knowledge, a statement to that effect.
- (5) If identity of the individual is based on satisfactory evidence, a brief description of the method of identification and any identification credential presented, including the date of issuance and expiration of an identification credential.
- (6) The fee charged by the notary public.

(d) Loss or theft.--If a journal is lost or stolen, the notary public shall promptly notify the department on discovering that the journal is lost or stolen.

(e) Termination of office.--A notary public shall deliver the journal of the notary public to the office of the recorder of deeds in the county where the notary public last maintained an office within 30 days of:

- (1) expiration of the commission of the notary public, unless the notary public applies for a commission within that time period;
- (2) resignation of the commission of the notary public; or
- (3) revocation of the commission of the notary public.

(f) Repository.--(Reserved).

(g) Death or incompetency.--On the death or adjudication of incompetency of a current or former notary public, the personal representative or guardian of the notary public or a person knowingly in possession of the journal of the notary public shall deliver it within 30 days to the office of the recorder of deeds in the county where the notary public last maintained an office.

(g.1) Certified copies.--A notary public shall give a certified copy of the journal to a person that applies for it.

(h) Protection.--

- (1) A journal and each public record of the notary public are exempt from execution.
- (2) A journal is the exclusive property of the notary public.
- (3) A journal may not be:
 - (i) used by any person other than the notary public; or
 - (ii) surrendered to an employer of the notary public upon termination of employment.

§ 320. Notification regarding performance of notarial act on electronic record; selection of technology.

(a) Selection.--A notary public may select one or more tamper-evident technologies to perform notarial acts with respect to electronic records. A person may not require a notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected.

(b) Notice and approval.--

- (1) Before a notary public performs the initial notarial act with respect to an electronic record, a notary public shall notify the department that the notary public will be performing notarial acts with respect to electronic records and identify each technology the notary public intends to use.
- (2) If the department has established standards for approval of technology under section 327 (relating to regulations), the technology must conform to the standards. If the technology conforms to the standards, the department shall approve the use of the technology.

(c) Certification of tangible copies.--A recorder of deeds may accept for recording a tangible copy of an electronic record containing a notarial certificate as satisfying any requirement that the record be an original, if the notarial officer executing the notarial certificate certifies that the tangible copy is an accurate copy of the electronic record.

§ 321. Appointment and commission as notary public; qualifications; no immunity or benefit.

(a) Eligibility.--An applicant for appointment and commission as a notary public must meet all of the following:

- (1) Be at least 18 years of age.
- (2) Be a citizen or permanent legal resident of the United States.
- (3) Be a resident of or have a place of employment or practice in this Commonwealth.
- (4) Be able to read and write English.
- (5) Not be disqualified to receive a commission under section 323 (relating to sanctions).
- (6) Have passed the examination required under section 322(a) (relating to examination, basic education and continuing education).
- (7) Comply with other requirements established by the department by regulation as necessary to insure the competence, integrity and qualifications of a notary public and to insure the proper performance of notarial acts.

(b) Application.--An individual qualified under subsection (a) may apply to the department for appointment and commission as a notary public. The application must comply with all of the following:

- (1) Be made to the department on a form prescribed by the department.
- (2) Be accompanied by a nonrefundable fee of \$42, payable to the Commonwealth of Pennsylvania. This amount shall include the application fee for notary public commission and fee for filing of the bond with the department.
- (3) (Deleted by amendment).

(c) Oath or affirmation.--Upon appointment and before issuance of a commission as a notary public, an applicant must execute an oath or affirmation of office.

(d) Bond.--

- (1) Upon appointment and before issuance of a commission as a notary public, the applicant must obtain a surety bond in:
 - (i) the amount of \$10,000; or
 - (ii) the amount set by regulation of the department.
- (2) (Reserved).
- (3) The bond must:
 - (i) be executed by an insurance company authorized to do business in this Commonwealth;
 - (ii) cover acts performed during the term of the notary public commission; and
 - (iii) be in the form prescribed by the department.
- (4) If a notary public violates law with respect to notaries public in this Commonwealth, the surety or issuing entity is liable under the bond.
- (5) The surety or issuing entity must give 30 days' notice to the department before canceling the bond.
- (6) The surety or issuing entity shall notify the department not later than 30 days after making a payment to a claimant under the bond.
- (7) A notary public may perform notarial acts in this Commonwealth only during the period in which a valid bond is on file with the department.

(d.1) Official signature.--

- (1) The official signature of each notary public shall be registered, for a fee of 50¢, in the "Notary Register" provided for that purpose in the prothonotary's office of the county where the notary public maintains an office within:
 - (i) 45 days after appointment or reappointment; and
 - (ii) 30 days after moving to a different county.
- (2) In a county of the second class, the official signature of each notary public shall be registered in the office of the clerk of courts within the time periods specified in paragraph (1).

(d.2) Recording and filing.--

- (1) Within 45 days after appointment and prior to entering into the duties of a notary public, the bond, oath of office and commission must be recorded in the office of the recorder of deeds of the county in which the notary public maintains an office.

(2) Upon reappointment, the bond, oath of office and commission must be recorded in the office of the recorder of deeds of the county in which the notary public maintains an office.

(3) Within 90 days of recording under this subsection, a copy of the bond and oath of office must be filed with the department.

(e) Issuance.--On compliance with this section, the department shall issue to an applicant a commission as a notary public for a term of four years.

(f) Effect.--

(1) A commission to act as a notary public authorizes a notary public to perform notarial acts. If a notary public fails to comply with subsection (d.1) or (d.2), the notary public's commission shall be null and void.

(2) A commission to act as a notary public does not provide a notary public any immunity or benefit conferred by law of this Commonwealth on public officials or employees.

§ 322. Examination, basic education and continuing education.

(a) Examination.--An applicant for a commission as a notary public who does not hold a commission in this Commonwealth must pass an examination administered by the department or an entity approved by the department. The examination must be based on the course of study described in subsection (b).

(b) Basic education.--An applicant under subsection (a) must, within the six-month period immediately preceding application, complete a course of at least three hours of notary public basic education approved by the department. For approval, the following apply:

(1) The course must cover the statutes, regulations, procedures and ethics relevant to notarial acts, with a core curriculum including the duties and responsibilities of the office of notary public and electronic notarization.

(2) The course must either be interactive or classroom instruction.

(c) Continuing education.--An applicant for renewal of appointment and commission as a notary public must, within the six-month period immediately preceding application, complete a course of at least three hours of notary public continuing education approved by the department. For approval, the following apply:

(1) The course must cover topics which ensure maintenance and enhancement of skill, knowledge and competency necessary to perform notarial acts.

(2) The course must either be interactive or classroom instruction.

(d) Preapproval.--All basic and continuing education courses of study must be preapproved by the department.

§ 323. Sanctions.

(a) Authority.--The department may deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission as notary public for an act or omission which demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public. Such acts or omissions include:

(1) Failure to comply with this chapter.

(2) A fraudulent, dishonest or deceitful misstatement or omission in the application for a

commission as a notary public submitted to the department.

(3) Conviction of or acceptance of Accelerated Rehabilitative Disposition by the applicant or notary public for a felony or an offense involving fraud, dishonesty or deceit.

(4) A finding against or admission of liability by the applicant or notary public in a legal proceeding or disciplinary action based on the fraud, dishonesty or deceit of the applicant or notary public.

(5) Failure by a notary public to discharge a duty required of a notary public, whether by this chapter, by regulation of the department or by Federal or State law.

(6) Use of false or misleading advertising or representation by a notary public representing that the notary public has a duty, right or privilege that the notary public does not have.

(7) Violation by a notary public of a regulation of the department regarding a notary public.

(8) Denial, refusal to renew, revocation, suspension or conditioning of a notary public commission in another state.

(9) Failure of a notary public to maintain a bond under section 321(d) (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(a.1) Administrative penalty.--The department may impose an administrative penalty of up to \$1,000 on a notary public for each act or omission which constitutes a violation of this chapter or on any person who performs a notarial act without being properly appointed and commissioned under this chapter.

(b) Administrative Agency Law.--Action by the department under subsection (a) or (a.1) is subject to 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).

(c) Other remedies.--The authority of the department under this section does not prevent a person from seeking and obtaining other criminal or civil remedies provided by law.

(d) Investigations and hearings.--

(1) The department may issue a subpoena, upon application of an attorney responsible for representing the Commonwealth in disciplinary matters before the department, for the purpose of investigating alleged violations of the disciplinary provisions administered by the department.

(2) In an investigation or hearing, the department, as it deems necessary, may subpoena witnesses, administer oaths, examine witnesses, take testimony and compel the production of documents.

(3) The department may apply to Commonwealth Court under 42 Pa.C.S. § 761(a)(2) (relating to original jurisdiction) to enforce a subpoena under this subsection.

(e) Other enforcement authority.--The department may initiate civil proceedings at law or in equity to enforce the requirements of this chapter and to enforce regulations or orders issued under this chapter. In addition, the department may request the prosecution of criminal offenses to the extent provided by this chapter or as otherwise provided by law relating to notaries public, notarial officers or notarial acts, in the manner provided by the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(f) Criminal penalties applicable.--The following apply:

- (1) Except as provided in this chapter or otherwise provided by law, it is unlawful for a person to hold himself out as a notary public or as a notarial officer or to perform a notarial act.
- (2) Falsely pretending to be a notary public or a notarial officer and performing any action in furtherance of such false pretense shall subject the person to the penalties set forth in 18 Pa.C.S. § 4913 (relating to impersonating a notary public or a holder of a professional or occupational license).
- (3) The use of an official stamp by a person who is not a notary public named on the stamp shall constitute a violation of 18 Pa.C.S. § 4913.
- (4) Except as provided in paragraph (2) or (3), any person violating this chapter or a regulation of the department commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000.

§ 324. Database of notaries public.

The department shall maintain an electronic database of notaries public:

- (1) through which a person may verify the authority of a notary public to perform notarial acts; and
- (2) which indicates whether a notary public has notified the department that the notary public will be performing notarial acts on electronic records.

§ 325. Prohibited acts.

(a) No authority.--A commission as a notary public does not authorize the notary public to:

- (1) assist persons in drafting legal records, give legal advice or otherwise practice law;
- (2) act as an immigration consultant or an expert on immigration matters;
- (3) represent a person in a judicial or administrative proceeding relating to immigration to the United States, United States citizenship or related matters; or
- (4) receive compensation for performing any of the activities listed in this subsection.

(b) False advertising.--A notary public may not engage in false or deceptive advertising.

(c) Designation.--

- (1) Except as set forth in paragraph (2), a notary public may not use the term "notario" or "notario publico."
- (2) Paragraph (1) does not apply to an attorney at law.

(d) Representations.--

- (1) Except as set forth in paragraph (2), the following apply:
 - (i) A notary public may not advertise or represent that the notary public may:
 - (A) assist persons in drafting legal records;
 - (B) give legal advice; or
 - (C) otherwise practice law.
 - (ii) If a notary public advertises or represents that the notary public offers notarial services, whether orally or in a record, including broadcast media, print media and the Internet, the notary public shall include the following statement, or an alternate statement authorized or required by the department, in the advertisement or representation, prominently and in each language used in the advertisement or representation:

I am not an attorney to practice law in this Commonwealth. I am not allowed to draft legal records, give advice on legal matters, including immigration, or charge a fee for those activities.

(iii) If the form of advertisement or representation is not broadcast media, print media or the Internet and does not permit inclusion of the statement required by this subsection because of size, it shall be displayed prominently or provided at the place of performance of the notarial act before the notarial act is performed.

(2) Paragraph (1) does not apply to an attorney at law.

(e) Original records.--Except as otherwise allowed by law, a notary public may not withhold access to or possession of an original record provided by a person that seeks performance of a notarial act by the notary public.

(f) Crimes Code.--There are provisions in 18 Pa.C.S. (relating to crimes and offenses) which apply to notaries public.

§ 326. Validity of notarial acts.

(a) Failures.--Except as otherwise provided in section 304(b) (relating to authority to perform notarial act), the failure of a notarial officer to perform a duty or meet a requirement specified in this chapter does not invalidate a notarial act performed by the notarial officer.

(b) Invalidation.--The validity of a notarial act under this chapter does not prevent an aggrieved person from seeking to invalidate the record or transaction which is the subject of the notarial act or from seeking other remedies based on Federal law or the law of this Commonwealth other than this chapter.

(c) Lack of authority.--This section does not validate a purported notarial act performed by an individual who does not have the authority to perform notarial acts.

§ 327. Regulations.

(a) Authority.--Except as provided in section 329.1(a)(relating to fees of notaries public), the department may promulgate regulations to implement this chapter. Regulations regarding the performance of notarial acts with respect to electronic records may not require or accord greater legal status or effect to the implementation or application of a specific technology or technical specification. Regulations may:

- (1) Prescribe the manner of performing notarial acts regarding tangible and electronic records.
- (2) Include provisions to ensure that any change to or tampering with a record bearing a certificate of a notarial act is self-evident.
- (3) Include provisions to ensure integrity in the creation, transmittal, storage or authentication of electronic records or signatures.
- (4) Prescribe the process of granting, renewing, conditioning, denying, suspending or revoking a notary public commission and assuring the trustworthiness of an individual holding a commission as notary public.
- (5) Include provisions to prevent fraud or mistake in the performance of notarial acts.
- (6) Establish the process for approving and accepting surety bonds under section 321(d) (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(7) Provide for the administration of the examination under section 322(a) (relating to examination, basic education and continuing education) and the course of study under section 322(b).

(7.1) Require applicants for appointment and commission as notaries public to submit criminal history record information as provided in 18 Pa.C.S. Ch. 91 (relating to criminal history record information) as a condition of appointment.

(8) Include any other provision necessary to implement this chapter.

(b) Considerations.--In promulgating regulations about notarial acts with respect to electronic records, the department shall consider, so far as is consistent with this chapter:

(1) the most recent standards regarding electronic records promulgated by national bodies, such as the National Association of Secretaries of State;

(2) standards, practices and customs of other states which substantially enact the Revised Uniform Law on Notarial Acts; and

(3) the views of governmental officials and entities and other interested persons.

§ 328. Notary public commission in effect.

A commission as a notary public in effect on the effective date of this chapter continues until its date of expiration. A notary public who applies to renew a commission as a notary public on or after the effective date of this chapter is subject to this chapter. A notary public, in performing notarial acts after the effective date of this chapter, shall comply with this chapter.

§ 329. Savings clause.

This chapter does not affect the validity or effect of a notarial act performed before the effective date of this chapter.

§ 329.1. Fees of notaries public.

(a) Department.--The fees of notaries public shall be fixed by the department by regulation.

(b) Prohibition.--A notary public may not charge or receive a notary public fee in excess of the fee fixed by the department.

(c) Operation.--

(1) The fees of the notary public shall be separately stated.

(2) A notary public may waive the right to charge a fee.

(3) Unless paragraph (2) applies, a notary public shall:

(i) display fees in a conspicuous location in the place of business of the notary public; or

(ii) provide fees, upon request, to a person utilizing the services of the notary public.

(d) Presumption.--The fee for a notary public:

(1) shall be the property of the notary public; and

(2) unless mutually agreed by the notary public and the employer, shall not belong to or be received by the entity that employs the notary public.

§ 330. Uniformity of application and construction.

In applying and construing this chapter, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

§ 331. Relation to Electronic Signatures in Global and National Commerce Act.

To the extent permitted by section 102 of the Electronic Signatures in Global and National Commerce Act (Public Law 106-229, 15 U.S.C. § 7002), this chapter may modify or supersede provisions of that act.

APPENDIX TO TITLE 57
NOTARIES PUBLIC
Supplementary Provisions of Amendatory Statutes
2014, JULY 9, P.L.1035, NO.119

§ 3. Application for appointment.

Notwithstanding section 5(a) of the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, an application for appointment to the office of notary public shall not be required to bear:

- (1) the endorsement of the Senator of the district in which the applicant for appointment to the office of notary public resides; or
- (2) if the applicant for appointment to the office of notary public does not reside in this Commonwealth, the endorsement of the Senator of the district in which the applicant is employed.

Glossary of Notary Terms

Supplemental
SECTION

EVERYDAY
Notary Challenges

Glossary of Notarial Terms

Acknowledgment

One of the notary's official powers. An acknowledgment includes two parts:

Spoken: a voluntary, unsworn formal declaration made by a person who signed a document denoting that the signing was their free act and deed. This declaration is made in the notary's presence.

Written: the notary's statement that the person did appear, was properly identified, and acknowledged their signature.

Affiant

An affiant is the person who makes a statement, swears to or affirms it and subscribes (signs) it.

Affirm

To affirm is to make a solemn, formal declaration. An example would be the taking of an oath, where the maker objects to using the word "swear." The word "affirm" would be substituted in the language of the oath: "I hereby affirm that the statements above are true and correct." (See also Oath, Swear).

Appointment

Is the designation of a qualified person by the Secretary of the Commonwealth to discharge the duties of the office of notary public.

Attest

This word commonly appears on documents that require the notary's services. It means to bear witness and to signify by subscription (signing) of their name that the signer has witnessed the execution of the particular instrument by another. For example, the president of a corporation signs a document that is then attested by the corporate secretary.

Bond

Notaries in Pennsylvania must be bonded for \$10,000 for each four-year commission term. The notary's bond is a guarantee by a bonding company of the notary's faithful performance of duty. If the notary causes financial loss to the public, the customer can make a claim against the bonding company for as much as \$10,000.

The notary, in turn, is liable to the bonding company for the full amount of any claim. The blank bond form is supplied to the notary by the Secretary of the Commonwealth and must be executed by the surety before being appointed. (See also Surety).

Certificate of Notarial Act

A certificate of notarial act contains the venue, the notary statement and a place for your signature and official stamp. (See also Venue).

Certified Copy

A notary may issue a certified copy of a record from the notarial journal or a certified copy of a document. To certify a copy, the notary would make a copy, verify that it is an exact replica of the original and attach a certificate to that effect.

Commission

The notary's commission is a document from the Secretary of the Commonwealth that empowers the notary to act in an official capacity.

Department of State

The Pennsylvania Department of State handles appointments, investigations, and disciplinary actions concerning notaries.

Direct Interest

Notaries in Pennsylvania are barred from placing signature and seal on any document in which they or their spouse have direct interest. If a notary will benefit from a transaction, they have a direct interest. If a notary is named in a will to receive anything of value upon the maker's death, for example, the notary should not notarize the will.

Exceptions to Direct Interest are being a shareholder in a publicly traded company that is a party to the notarized transaction; being an officer, director or employee of a company that is a party to the notarized transaction, unless the director, officer or employee personally benefits from the transaction; or, receiving a fee that is not contingent upon the completion of the notarized transaction.

Disqualification

To take away one's ability to act. A Pennsylvania notary can be disqualified if any of the stipulations of appointment are no longer being met, such as the residency/employment requirement.

Electronic Document

An electronic document has the same properties as a paper version, but is created and maintained electronically, typically via a computer program or website.

Electronic Signature

An electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

Embossing Seal

A device that allows a notary to create a raised impression on a document. The embossing seal is no longer required on a notarized document. If a notary chooses to use an embossing seal, the impression should appear near the notary's signature and should not overlap the notary's signature or the official stamp impression.

Errors and Omissions Insurance (E&O)

E&O insures the notary against financial loss when one of their actions causes financial loss to a customer. Unlike the required notary bond which protects the customer, E&O protects the notary and pays for losses before the bond. E&O does not need to be repaid. E&O is optional and may be purchased separately from the bond.

Execute

To execute a document or a notarial transaction is to complete it, by signing it.

Expiration Date

A Pennsylvania notary's commission expires exactly four years from the date of appointment. The commission expiration date must appear on the notary's official stamp on all notarial acts.

Instrument

An instrument is a written document. A deed is an instrument to which a notary's acknowledgment may be attached. A negotiable instrument is an order in writing that entitles the person to whom the instrument is written to collect a sum of money. (See also Negotiable Instrument).

Journal

The notary's record book. The Revised Uniform Law on Notarial Acts requires notaries to record each notarial act in chronological order in the journal. Certified copies from the journal have been used as evidence in court. Upon your death, resignation or disqualification, your journal must be surrendered to the recorder of deeds of the county of your office of record within 30 days.

Negotiable Instrument

A negotiable instrument is a document that serves as an unconditional promise or order to pay a sum of money. It must contain its maker's signature and the payee's name, and it must be payable on demand or at a definite time. A common example of a negotiable instrument is a check.

Oath

A notary act. An oath is a voluntary, oral declaration that the person taking the oath will keep a promise, or that a statement made is true. It may be based on an appeal to a higher authority. For example, "I swear to tell the truth, the whole truth and nothing but the truth, so help me God." A verification on oath or affirmation requires the notary to administer an oath. However, the oath may be an individual notary act in itself. (See also Affirm, Swear).

Office of Record

The office of record is an address (home or place of work) that the Department of State can use to contact you.

Official Stamp

Notaries use an official stamp to furnish the information which is required by law on each notarial act. According to law, "the seal must be capable of being copied together with the record to which it is affixed or attached or with which it is logically associated."

Pecuniary Interest

A notary is said to have pecuniary (or financial) interest in a transaction from which they will profit. The Revised Uniform Law on Notarial Acts bars a notary from placing a signature and official stamp on any document in which they or their spouse have a pecuniary interest.

Prothonotary

In Pennsylvania, the prothonotary is the officer who acts as the principal clerk of some courts. Each county has a prothonotary, or an appointed official who performs the functions of a prothonotary. Every notary must register their signature with the prothonotary in the county office. The prothonotary can provide certification of a notary's appointment, when requested.

Reappointment

After a notary is appointed to the first four-year term, each subsequent authorization to another term is referred to as a reappointment.

Recorder of Deeds

A county official who enters deeds and other documents in the public records. The recorder of deeds records the commission, bond and oath of office of notaries.

Resignation

A notary may resign their commission for any reason. A letter of resignation should be mailed to the Secretary of the Commonwealth.

Revocation

The withdrawal or recall of a power. The Revised Uniform Law on Notarial Acts gives the Secretary of the Commonwealth the right to revoke, or take away, a notary's commission for cause. The notary has the right to appeal the action.

Signature

Generally a "wet" signature, not a facsimile produced by a signature stamp or any other device. Each notarial act must be signed by the notary, using the name that appears on their commission. (See also Electronic Signature, Wet Signature).

Subscribe

Literally, to write underneath, as one's name. To sign at the end of a document.

Surety

The person or company who furnishes the notary's bond. In bonding a notary, the surety agrees to pay any claims against the notary up to \$10,000. If a bonding company has to make a payment as a result of a claim, the notary is financially obligated to repay the surety.

Swear

To bind a person by an oath. As part of some notarial acts, the customer must swear before the notary. (See also Affirm, Oath) .

Venue

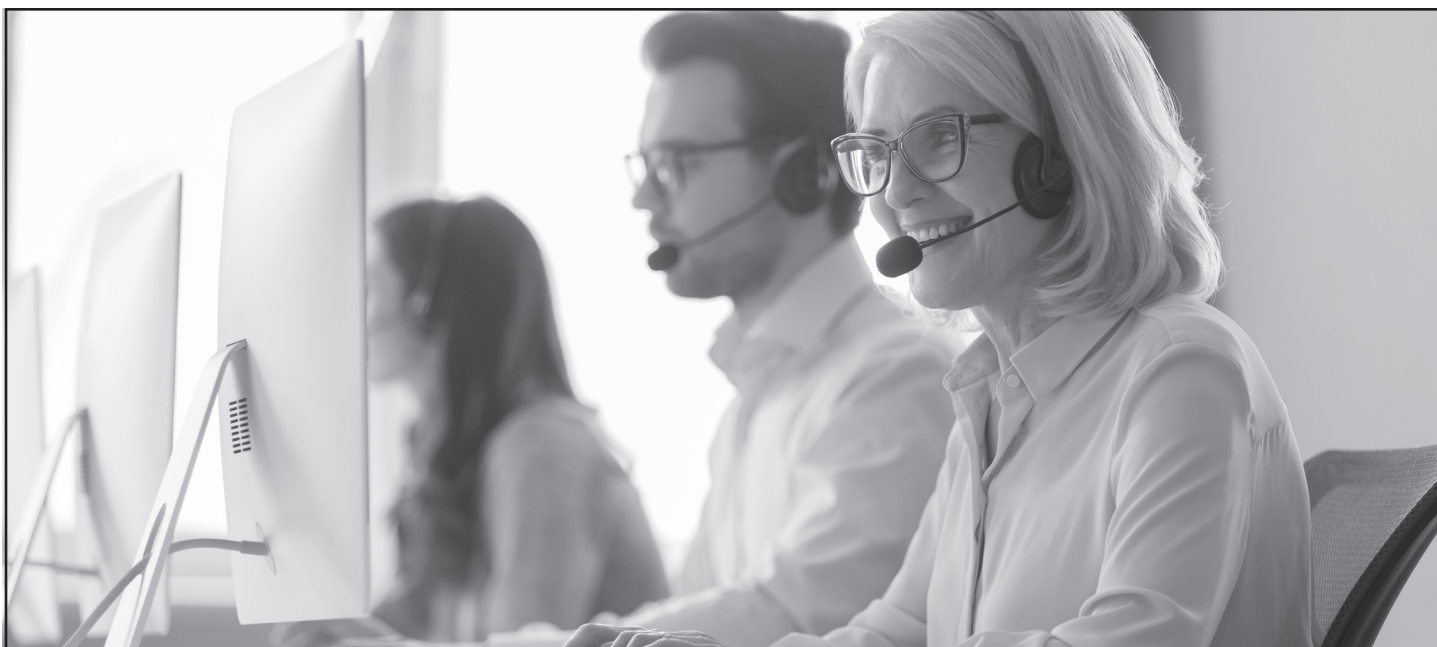
The venue describes the geographic location where a notarial act is performed, naming the state and county. It is required for all notarial acts.

Verification on oath or affirmation

A notary act. A verification on oath or affirmation is a sworn document in which the individual voluntarily swears or affirms that the statements in the document are true.

Wet Signature

A wet signature refers to a signature made with a pen.



We believe in making your job easier

Satisfied?

If you enjoyed the education seminar
please share your valuable comments with others!



Scan this QR code to write a Google Review and share your experience.



Pennsylvania Association of Notaries