

Types of Notarial Acts

As notaries, we are not able to offer legal advice. If it is unclear to us as to which notarial act you want, we will ask you which type you need. **We cannot decide for you.** If after reviewing the following common types of notarial acts, you are still unsure, it is best to contact the document's preparer and find out.

What to look for

Don't be fooled by the document's title. It is the specific notarial certificate wording that determines the actual notarial act that should be used to complete the notarization properly. We, as notaries, cannot notarize unless the proper wording is on the document. Proper wording includes both the venue and the notarial certificate. If the venue is not on the document, we can add it, *only with your or the document preparer's permission.* If the notarial certificate wording is not on the document, we can add it directly to the document or attach a separate certificate with the notarial certificate wording on it, again, *only with your or the document preparer's permission.*

Venue

The **venue** is the geographic location where the notarial act is performed, i.e., the state (Commonwealth) and County where you are located in for the notarization.

Example: Commonwealth of Pennsylvania
County of Montgomery

Notarial Certificate

The **notarial certificate** determines the notarial act to be completed. The three most common notarial certificates are *verifications on oaths or affirmations*, *acknowledgements* and *certified copies*.

Verification on Oath or Affirmation

A **verification on oath or affirmation** is a voluntary, written, sworn (or affirmed) statement signed in the notary's presence. Typically, this act is seen on a form or application declaring that the information the individual provided is true, motor vehicle paperwork, back sides of birth certificates, on statement submitted as evidence in court, on complaints, pleadings, motions, petitions, or other court documents, or on election petitions. You, the signor, are responsible for the truth and accuracy of the statement you make. An oath or affirmation will be administered. Example: "Do you swear (or affirm) that everything in the document is true and correct?"

The notarial certificate for this act will read as follows: *Signed and sworn to (or affirmed) before me on _____ by _____.*

*You may also see optional wording: *making statement(s) _____* at the end of the certificate as well.

Acknowledgment

An acknowledgement is a method of authenticating a signature on a document. It is a declaration made in a notary's presence by the person who signed, or is signing, the document. The individual(s) that appear(s) before the notary will declare that he/she/they did in fact sign the document (if signed prior to appearing) and if the he/she/they understands/understood what he/she/they are/were signing and if it was of their own free will.

The notarial certificate for this act will read or contain: *This record was acknowledged before me on _____ by _____.*

Typically this act is seen on documents that are to be recorded, such as Wills, Power of Attorneys, Mortgages and Deeds.

Witnessing or Attesting a Signature (Signature Witnessing)

A witness is a neutral third party who has first-hand knowledge of an event. In witnessing or attesting a signature, it is the notary who has first-hand knowledge that an individual signed a record. The notarial certificate states that the notary was present and saw the individual sign. The notary's seal and signature indicates that the notary witnessed the signature according to law.

The notarial certificate for this act will read as follows: *Signed (or attested) before me on _____ by _____.*

Certifying or Attesting a Copy or Deposition

A certified or attested copy of a record or deposition is a reproduction of an original record or transcript, with a notary's certification that the reproduction is a complete and accurate copy of the original. Please Note: The notary is not responsible for guaranteeing that the original record or transcript's contents are authentic, true or correct. **Please note: We cannot make certified copies of public documents, such as birth certificates, death certificates, naturalization certificates, and government issued documents imprinted with "Do Not Copy", or similar wording. Certain documents such as school transcripts and medical records may require a call to the issuing agency asking if a certified copy may be issued.**

The first thing we will do is inspect the original to make sure, to the best of our ability, that the document has not been tampered with or altered. The next thing we will do is make the photocopy and compare it to the original. It is much faster and easier to have the copies made by us, since after we inspect the original to see that it has not been tampered with or altered, the comparison is more straightforward, because we know that the document has not been altered prior to making the copy. If you make the copy and bring it to us for notarization, we must compare each page line-by-line to the original to ensure the copy is true and accurate, which can be very time consuming. The next thing we will do is add the venue and the appropriate certificate wording, either directly to the copy or via an attachment, and add our signature and seal.

The notarial certificate for this act will read: *I certify that this is a true and correct copy of _____ in the possession of _____. Date _____.*

Protests

When a negotiable instrument such as a check, money order, or traveler's check is presented for payment and payment is denied, the instrument is said to be dishonored. The holder of the dishonored instrument may then ask a notary to issue a protest. A protest, also called a certificate of dishonor, is a notary's written statement that, upon presentment, a negotiable instrument was neither paid nor accepted. This is a very rare act and usually at the request of a bank or other financial institution. The protest will include the venue, the ID of the notary, the ID of the requestor, the description of the negotiable instrument, the presenter's statement of dishonor, the statement that endorsers were notified, the reason for protest, and the notary's signature and seal.

Oaths & Affirmations

An oath is a public declaration, usually based on an appeal to a Supreme Being or a higher power, that the person making the declaration will keep a promise or perform a duty faithfully. An affirmation is a pledge equivalent to an oath, but without reference to a Supreme Being or a higher power.

An oath is usually spoken, but also may be written and signed by the customer. In some cases, the written form is required as official documentation that the oath or affirmation was administered properly. This act is rare and is typically seen when someone is being sworn in, such as a jury member or a public official. An oath or affirmation binds the declarant to the truth of his or her declaration. According to PA Crimes Code, an individual who makes a false statement under oath or affirmation, or swears to or affirms the truth of a statement previously made when he or she does not believe it to be true, is guilty of perjury, which is a felony offense. Further, an individual is guilty of false swearing, a misdemeanor offense, if the false statement is one that is required by law to be sworn or affirmed before a notary.