

The Guarantor of Trust for Today's Business

# Why Notarization Is More Relevant and Vital Than Ever



NATIONAL  
NOTARY PUBLIC

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## INTRODUCTION

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Trust allows our mobile, global, digital and anonymous Society to function.

Trust is the lifeblood of modern society. It is the sine qua non of a complex culture in which business dealings between strangers are the norm rather than the exception.

Trust enables the sensitive instruments of commerce and law — from deeds conveying real property to contracts promising essential services — to be exchanged with confidence.

Trust allows our mobile, global, digital and anonymous Society to function. Without it, the disastrous consequence would be disorder, uncertainty and increased threats of fraud.

Paradoxically, even though Society must trust strangers to conduct business, it wants to know as much about the transacting parties as possible to assure that its agreements and promises are made reliably.

Thus, today's Society has increased dependence on a process that enables confidence and engenders trust. It is reliant on a system that maintains the rule of law, preserves the integrity of an agreement, and ensures the authenticity of a transaction. This indispensable process is in place and working well, though it is often misunderstood and unfairly criticized.

That process is called notarization, and it is more relevant and vital than ever.

## WHY NOTARIZATION IS IMPORTANT

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Notarization is rooted in a rich history that dates back to Roman civilization. For thousands of years, the process has represented the trust, assurance and legitimacy of official documents backed by a governing body.

Though countless documents are freely exchanged in our Society, individuals and organizations require greater guarantees of trustworthiness and authenticity relative to certain agreements.

Notarization imbues a written document with undeniable and unspoken intention and commitment, providing a singular and secure solution that gives trust a material form. It is the official certifying process that renders documents worthy of the public trust, and offers assurance that a document is authentic, that its signature is genuine, and that its signer acted willingly and intended the terms of the document to be in full force and effect.

It is the official certifying process that renders documents worthy of the public trust

An individual's acceptance, consent or signature taken separately — or even together — cannot deliver the security and certainty that notarization provides.

Individuals entering into agreements personally appear before an impartial and unbiased Notary Public, are identified as the person they claim to be, and acknowledge that they understand the contents of the document and signed it voluntarily.

Importantly, the resulting notarized document becomes distinguishable from any other because of the seal and official, original signature of the Notary Public.

## THE DIFFERENT NOTARIAL ACTS

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Notarizations — more commonly called “notarial acts” — fall into three categories: acknowledgments, jurats and copy certifications. Each category has a specific purpose, but all share the common aim of facilitating commerce and law through a network of trust.

Additional information on [properly performed notarial acts](#)

**Acknowledgments.** The acknowledgment is typically performed on documents controlling or conveying ownership of assets. Such documents include real property deeds, powers of attorney and, in some cases, trusts and wills. The signer must appear in person at the time of notarization to be positively identified, and to declare (“acknowledge”) that the signature on the document is his or her own, that it was willingly made, and that the provisions in the document are intended to take effect exactly as written. This notarial act is authorized by law in 50 states and all other U.S. jurisdictions.

**Jurats.** The jurat is typically performed on evidentiary documents that are critical to the operation of our civil and criminal justice system. Such documents include affidavits and depositions. For a jurat, the signer must appear in person at the time of notarization to sign the document, and to recite aloud an oath or affirmation promising that the statements in the document are true. (An oath is a solemn pledge to a supreme being; an affirmation is a solemn pledge on one's personal honor.) A person who takes an oath or affirmation in connection with an official proceeding may be prosecuted for perjury should he or she fail to be truthful. This notarial act is authorized by law in 50 states and all other U.S. jurisdictions.

**Certified Copies.** The copy certification is performed to confirm that a reproduction of an original document is true, exact and complete. Such originals might include college degrees, passports and other documents which cannot be copy-certified by a

The seal is the universally recognized symbol of the Notary office.

record office such as a bureau of vital statistics or recorder of deeds. This notarization is not authorized in every state, but in the jurisdictions where it is allowed, may be executed only with certain original documents.

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Each state and the other U.S. jurisdictions adopt its own laws governing the performance of notarial acts. While different laws are largely congruent with most common notarizations — particularly acknowledgments and jurats — there are some unusual laws. In Washington state, for example, certification of the occurrence of an act or event is an authorized notarization. In Maine, Florida and South Carolina, performing a marriage ceremony is an authorized notarial act. And in Florida, Notaries may also verify vehicle identification numbers.

Attached to, or part of, a document to be notarized is a “notarial certificate” that states what facts are being certified. While wording requirements differ from state to state, common wording in a jurat, for instance, states that an affidavit was “...signed and sworn to before me, the undersigned Notary Public, by John Q. Doe...” Common wording in an acknowledgment certificate states that a document signer personally appeared “...and was known to me or satisfactorily proven to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same...”

A Notarization is complete upon the affixation of the Notary’s signature and seal of office on a certificate. The seal is the universally recognized symbol of the Notary office. Its presence gives a notarized document appreciable weight in legal matters and renders it genuine in a court of law.

The role of a Notary Public cannot be replicated by individuals in the general public.

## THE NOTARY PUBLIC

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Every notarization is performed by a Notary Public. Notaries must apply to a state agency, typically the Secretary of State — in some cases, the office of the Lieutenant Governor (Alaska) or Attorney General (Hawaii) — and submit an application in which they are often required to prove that they are individuals of good moral

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