

Journal photocopies

1. The Notary must provide a photocopy of a specific line item entry from his or her journal if a private individual makes a written request.
2. The written request must contain the:
 - a) **Names** of the parties,
 - b) **Type of Nature** of the document, and
 - c) **Month and Year** the document was notarized.
3. The fee for photocopying a journal entry is \$.30 per page

Journal Surrender

1. The journal may only be surrendered to a county clerk or a peace officer acting in an official capacity and authority in response to a criminal search warrant signed by a magistrate.
2. When a journal is surrendered to a peace officer, the Notary must obtain a receipt and notify the Secretary of State by certified mail within 10 days. The notification must contain:
 - a) The period of the journal entries.
 - b) The Notary's commission expiration date.
 - c) A photocopy of the receipt.
 - d) Commission number.

Lost or Stolen Journal

1. A Notary must **immediately** notify the Secretary of State by **certified mail** if a journal is lost, stolen, misplaced, destroyed, damaged, or otherwise rendered unusable.
2. The notification must include the Notary's commission number, **commission expiration date** the time period covered by the journal and a photocopy of any relevant Police Report.

5. Completes the Notary Certificate

1. A Notary must complete a certificate for every notarization performed. In addition, the Notary must **affix** an official Notary seal and **sign** the document with their name as it appears on the notarial commission. The name printed and signed on the bottom of the Notary application is the official commission name.
2. Certificate wording may appear **pre-printed** on the document, or as a **loose certificate**.
3. The certificate wording varies for different kinds of **notarial acts**.
4. It is not acceptable for a Notary to simply affix a Notary seal and sign a document without the proper certificate wording.

Required Certificate Components

1. Venue-state and county where the notarization is performed.
2. Statement of particulars-details that describe the facts of the notarization for each particular notarial act.
3. Signature – The Notary Public’s official signature must match the signature as it appears on the Notary Public application.
4. Seal-official stamp or inking device that imprints the Notary’s commission information.

Notarial certificates may sometimes include the following:

1. SS- (scilicet) – Latin term meaning “namely” or ‘in particular’ – the “SS” appears next to the venue
2. L.S.- (Locus Sigilli) – Latin term for ‘place of seal’
3. ‘Witness my hand and official seal’ – (Testimonium clause)

Note: In completing pre-printed and loose certificates the Notary fills in blank spaces, specifies gender, if one or more signers appeared, crosses out inapplicable wording, etc. This section of the loose certificate is known as the **Statement of Particulars**.

Obtaining Certificate Wording

1. If document contains pre-printed certificate wording:

The Notary reads the pre-printed wording in order to determine the notarial act to be performed.

2. If document doesn’t contain pre-printed certificate wording:
 - a) If the Notary wording is not pre-printed on the document, it is the signer’s responsibility to decide which notarial act he or she wants the Notary to perform.
 - b) If the signer is unsure, he or she must ask an attorney, the issuing agency or receiving agency to determine the proper notarial act.

Attaching a loose certificate

A loose certificate can be attached by stapling it behind the signature page of the document. It is recommended to fill out the “optional information” area of the attached document in order to prevent fraudulent reattachment to another document.

Legal Notarial Acts

- 1. Acknowledgments
- 2. Oaths and Affirmation
- 3. Jurats (Affidavits and Depositions)
- 4. Copy Certifications
- 5. Proofs of execution by subscribing witness
- 6. Protest

Acknowledgments

An acknowledgment is a notarial act certifying that the signer personally appeared before the Notary, acknowledged having signed the document, and was positively identified by the Notary. This is the most common notarial act.

Performing an Acknowledgment

- 1. The signer personally appears before the Notary.
- 2. The Notary positively identifies the signer.
- 3. The Notary checks the status of the document for blank spaces and the signer’s signature. If there is no signature, the Notary instructs the signer to sign the document.
- 4. The Notary asks the signer to acknowledge his signature.
- 5. The Notary records the journal entry.
- 6. The Notary completes the certificate and affixes the official signature and seal.

The maximum fee for an acknowledgment is \$10 per notarized signature.

Acknowledgment Wording

Notaries must use **California all purpose acknowledgement** wording for all acknowledgments filed in California.

As of January 1,2006 if a document to be filed in the state of California contains any acknowledgment certificate wording that is not the same as the statutory wording (CA all purpose acknowledgment wording), then a loose certificate of acknowledgment containing the statutory wording must be attached.

All Purpose Acknowledgment Wording:

State of: California County of: _____	
On (date of notarization) , before me, (insert Notary name, title ‘Notary Public’) , personally appeared (name of signer(s)) , personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.	
<u>Your Signature</u> Notary Signature	<div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> Place Notary Seal Notary Seal