

0:05 Hi, my name is Kelly Gee and I have the pleasure of serving as the Secretary of the Commonwealth for Governor Glenn Youngkin.

0:13 As Secretary of the Commonwealth, I oversee about 12 executive functions for the Governor.

0:18 One of those is the commissioning of Notaries.

0:21 Our Notary department is staffed by 6 full time employees.

0:25 Each week they Commission or renew around 600 notaries, equating to approximately 30,000 notary commissions every single year.

0:35 Your notary Commission is valid for four years, at which time it's your responsibility to renew it to ensure you maintain in good standing.

0:44 Notaries play a pivotal role in legal and financial transactions.

0:49 You are impartial witnesses who ensure the authenticity of signatures, thereby deterring fraud and protecting the interests of all parties involved.

0:58 Accordingly, with this designation comes serious responsibilities.

1:03 This webinar is meant to share best practices and help answer questions as you undertake your service as a notary.

1:10 We will only focus on traditional notarizations today.

1:14 If you are considering becoming a remote online notary, the first step is to become a traditional

notary.

1:20 So pay attention to the information today and the remaining guidelines for E-notary are on the Secretary of the Commonwealth's website.

1:28 Today you will hear from Deputy Secretary of the Commonwealth Jenna Moon, who will help you understand your responsibilities as a notary.

1:36 Next, Director of Notary and Authentication's De De Garland, we'll walk through best practices to help notaries perform error free notarizations and stay protected against potential liability.

1:48 These tips prioritize adhering to state laws, maintaining detailed records, and prioritizing accuracy and professionalism.

1:57 On behalf of Governor Glenn Youngkin, thank you for investing this time.

2:01 We hope you will walk away feeling informed and empowered to perform your notarial responsibilities to the highest of standards.

2:09 I will now turn it over to Deputy Secretary Moon.

2:13 Hello and welcome to our Notary orientation.

2:16 Over the last few years we have heard from notaries across the Commonwealth regarding the need for training and we want you to know you have been heard.

2:24 I am Deputy Secretary of the Commonwealth, Jenna Moon and I have the pleasure of assisting and overseeing the Notary Department.

2:30 Being a notary is not something to take lightly and you should always make certain you are following the rules and laws of the Commonwealth.

2:37 The Notary Handbook is your best source of information.

2:40 It answers the essential questions you have.

2:42 As you are notarizing documents, please make certain you would have read the Notary Handbook as you have affirmed on your application under oath and keep your handbook accessible for when questions may arise.

2:54 We receive many complaints each year of misconduct.

2:57 Simple mistakes are happening because the notary has failed to read the handbook given.

3:01 Please remember as you are notarizing documents what your duties are as a notary.

3:06 We are a commissioning office only.

3:08 We cannot answer legal questions.

3:10 If it is not in the handbook and you have hesitation about notarizing document or it falls outside the scope of the actual notary duties, it is probably not worth the fee or worrying of notarizing.

3:22 Trust and believe there are people out there that will be looking at the documents to make sure they are done correctly.

3:28 Documents can end up in dispute or court, and we want to make certain you have read and understand what being a notary means.

3:34 If you do commit an act of misconduct, it could result in a hearing.

3:39 Hearings are timely and costly for the Commonwealth.

3:42 It can result in your notary being suspended or taken away for life.

3:46 So please follow the rules.

3:48 We are excited you have chosen to become a notary and we want you to be successful and law abiding.

3:53 Now, I'm going to hand it over to De De Garland, who is our director of Notaries, to go over a few basics of being a notary to help you be confident and educated as you notarize documents.

4:02 Thank you.

4:04 Hello everyone.

4:05 I'm De De Garland, the Director of Notary and Authentications for the Commonwealth of Virginia.

4:11 I want to personally welcome you to our notary orientation review of best practices.

4:17 This is exciting as we work together to ensure notaries across the Commonwealth of Virginia are well equipped, well informed, and confident in their duties.

4:28 Our goal is to empower you with knowledge, confidence, and the tools to perform your duties with integrity and excellence.

4:36 Let's get started.

4:38 There are only a few states that give new notaries practical tips for notarizing documents properly.

4:45 Even states that have mandatory education requirements for Commission applicants focus more on notary law than notary best practices.

4:55 To help new notaries in Virginia, here's how to notarize a document in five steps.

5:02 Step one, Require personal appearance.

5:05 Step 2.

5:07 Check the document.

5:08 Step 3.

5:09 Carefully identify the signer.

5:11 Step 4.

5:11 Record your journal entry.

5:13 Step five, complete the notarized certificate.

5:16 We'll review each of these steps on how to notarize a document and explain why they're important for protecting clients and also yourself.

5:25 For any potential liability.

5:28 Step one, personal appearance, is required.

5:31 Personal appearance is a person that is physically standing before you.

5:36 This allows you to complete other steps in a proper notarization.

5:40 Many states now permit notaries to perform notarizations using audio and video conferencing technology through remote online notarization, not traditional notarization.

5:53 Review the certificate wording to make sure it contains all the elements a notary certificate should have and that it conforms to the requirements of the Code of Virginia.

6:04 Important reminders check for blank spaces.

6:06 Some states mandate that there are no blank spaces on a document, and other states just strongly recommended.

6:14 Remember, blank spaces on a document can be altered later in an attempt to commit fraud.

6:20 Be sure to enter the date the notarization took place in the certificate wording.

6:25 Verify that the name on the ID supports the name on the document that you are notarizing.

6:31 And remember, never give legal advice.

6:34 Many signers will ask you for advice or assistance regarding their document.

6:40 Unless you are an attorney, you should refrain from giving advice because it would be the unauthorized practice of law and you could be held liable.

6:50 Identifying the Signer Step three.

6:52 Properly verifying your signer's identity is an essential duty of every notary.

6:59 Every state provides some direction as to how to identify the signer.

7:03 Here are three general methods.

7:06 Personal knowledge, which means you personally know the signer.

7:10 Identity documents such as driver's license, passports and other government issued ID's credible identifying witnesses, which is someone who knows the signer and can verify his or her identity.

7:25 When identifying the signer, make sure your signer is acting of their own free will and is aware of what's going on.

7:33 You could do this by small talk and basic questions such as why are you here today?

7:40 Can you tell me a little bit about the document you're signing today?

7:44 When it comes to a signer's awareness, it's recommended that you simply make a layperson's judgment about the signer's ability to understand what is happening.

7:55 Also remember, notaries can refuse to notarize any document.

8:00 If the signer appears under coercion or if the notary is not familiar with the type of notarization requested, the notary must refuse to notarize the document.

8:11 The Code of Virginia lists 9 approved documents to confirm a signer's identity.

8:16 If unknown by the notary, the examination of one or more of the following unexpired documents are acceptable.

8:25 A United States passport.

8:27 A United States passport card.

8:30 A certificate of United States citizenship.

8:33 A certificate of naturalization.

8:36 A foreign passport.

8:38 A United States green card with photograph.

8:41 A state issued driver's license.

8:43 A state issued identification card.

8:46 A United States military identification card.

8:49 If you have any doubts whatsoever, respectfully decline to complete the notary certificate unless the signer brings additional information to prove his or her identity.

9:01 Step 4.

9:02 Record your journal entry.

9:05 Most states either require or recommend notaries.

9:08 Maintain a record of all notarizations.

9:11 Virginia does not require a traditional notary to maintain a general entry, but we highly recommend and encourage all notaries to maintain a record of all notarizations.

9:23 A good notary general entry contains details of notarizations that are helpful in case a document or notarization is called into question.

9:33 It's generally a good idea to complete your journal entry before the notarization so you can make sure to collect all the necessary elements of the record, including a signer's signature, date and time of the notary act, the type of notary act, printed name and address of each person seeking A notarization.

9:55 Type of identification used to establish that identity of each person.

10:00 Fee, if any, charge for the notarization act. Reminder the maximum amount that can be charged per notarized document is \$10.

10:11 Record your journal entry date and time of the notarization.

10:16 Type of notarization.

10:18 Address where the notarization is being performed.

10:22 Document type and date, Name and address of the signer.

10:30 Identification of the signer.

10:36 Additional information.

10:40 Notary fee, Signature of notary, and right thumbprint, which is optional in Virginia.

10:49 Every notary certificate must contain the following items.

10:53 The notary statement.

10:55 The date of the notary act, the county or city and state in which the notary act was performed, the expiration date of the notary's Commission, the notary's signature, the notary's registration number, and a photographically reproducible notary seal or stamp.

11:15 If the document does not contain certificate wording, ask the signer what notarization is required and then attach a separate or loose notary certificate.

11:27 Many signers do not know what type of notarization they need, so they may describe different types which can be found in the notary handbook, but you may not make the decision for the signer unless you are a licensed attorney.

11:43 If the signer is still uncertain, he or she should contact the issuing or receiving agency for instructions.

11:51 Important reminder.

11:52 According to the Code of Virginia, a notary shall not perform a notary act if the notary is a signatory of the document.

12:03 This means a notary cannot serve as both a witness and the notary on the same document.

12:10 These two separate roles and acting as both could create a conflict of interest.

12:16 If you are notarizing a document, someone else will need to serve as the witness.

12:21 This guideline helps protect the integrity of the notarization process and is supported by best practices outlined in Virginia Notary Handbook.

12:32 When completing the certificate, make sure all the details are correct.

12:37 For example, the venue or location of the notarization indicated by the wording state of or county of should be where you perform the notarization, not where the document was prepared or will be filed.

12:52 Finally, make sure to sign and affix your seal properly.

12:56 You should always sign exactly as your name appears on your Commission.

13:01 Your seal should be close to your signature, but not to overlap any wording.

13:06 The goal is to make everything legible.

13:10 Circle the city or county and add the location, date, month, and year by the name of the person seeking acknowledgement.

13:19 Notary signature Notary registration number Date the Commission expires.

13:25 Affix the seal reminder.

13:28 Your signature must match the name on your Commission.

13:33 How to complete a certified copy?

13:36 A certified copy notarization is often required when someone needs to prove that the copy of an original document is authentic and a true copy of an original, usually in situations where the original can't be submitted or must be retained by the owner.

13:54 Here's why someone might need this: A notarized certified copy is often required to verify that a copy of an original document is accurate and trustworthy.

14:05 This process is commonly used when the original document must be preserved or cannot be

submitted.

14:13 Legal, financial, or government entities require verification of authenticity.

14:20 The certified copy is needed for use in another state or country.

14:25 Institutions need assurance that the document has not been altered.

14:30 Please note that not all documents are eligible to be certified by a notary public, especially certain public records such as birth and death certificates or court documents, which must be certified by the issuing agency.

14:46 If your document qualifies, the notary will compare the original to the copy and confirm that it is a true, complete and unaltered reproduction.

14:58 The notary may ask the client to write the declaration or statement where the client certifies that the attached document is a true and complete copy of the original document and in this case, the notary will only witness the client's signature.

15:15 Circle city, county and add location, date, month and year.

15:22 Notary signature, Notary registration number, date the Commission expires.

15:29 Affix seal reminder.

15:32 Your signature must match the name on your Commission.

15:36 How to complete a Jurat?

15:38 A Jurat notarization is needed when someone must swear or affirm that the contents of a document are true, and it typically involves signing the document in front of the notary.

15:52 The notary will witness you sign the document and administer an oath of affirmation.

15:58 This type of notarization is often used for affidavits or sworn statements submitted to courts, government agencies, or legal offices.

16:08 Here are some reasons someone would need a Jurat notarization.

16:13 When sworn truthfulness is required.

16:15 The signer is making a sworn statement, under oath or affirmation declaring the documents contents are true to the best of their knowledge.

16:25 This is important for legal accountability.

16:28 Perjury laws apply if the person is lying, when the document will be used in a court or legal proceedings.

16:36 Jurats are commonly required for affidavits, depositions, sworn statements, applications, and testimonies.

16:45 Under oath, the signer must appear in person & in front of the notary.

16:50 A Jurat requires the notary to witness the actual signing to meet legal or institutional requirements.

16:58 Courts, government agencies, or legal professionals often specify that documents must be sworn to or affirmed rather than acknowledged.

17:10 Greater assurance of truthfulness.

17:12 A Jurat as a layer of integrity to the document, ensuring the signer understands the legal seriousness of what they are stating.

17:22 Circle city or county and add location, date, month and year, name of signer, notary signature, notary registration number, date the Commission expires, affix seal reminder.

17:39 Your signature must match the name on your Commission and closing.

17:44 I would like to refer you to where you can find information and stay connected with us.

17:50 Our website is your go to place for additional resources and updates along with our contact information and notary handle, which is a wealth of information.

18:00 Again, thank you for attending our notary orientation review of best practices.

18:09 Thank you Deputy Moon and Director Garland for all of that information.

18:13 I hope the reminders and best practices shared and this presentation were instructive.

18:19 Please visit commonwealth.virginia.gov for more information about notary commissions or email Notary@governor.virginia.gov with any questions.