**Your Notary Bond**

**What is a bond?**

A Notary bond is a relatively inexpensive form of consumer protection. It is like a form of credit extended to the Notary for ensuring faithful performance of his or her duties.

More technically, a bond is a contract between three parties, the *principal* or primary party who performs the contractual obligation – the Notary in this case; the *obligee*, the party to whom the obligation is performed and who requires the bond – typically the state commissioning the Notary; and the *surety*, the individual or company who assures the obligee the principal can perform the contractual obligation.

If the Notary fully and faithfully performs all duties required under law, the obligation of the bond becomes void; otherwise, it remains in full force and effect during the Notary’s commission term.

**Why do I have to get a bond to be a Notary?**

Notary statutes commonly state that a Notary has financial responsibility for the notarizations he or she performs. These same statutes often will require Notaries to demonstrate that there are certain minimum financial resources available to protect the public against the Notary’s misdeeds. The state of commissioning determines, usually through legislation, whether or not to require a bond.

The surety is the party who guarantees the Notary’s faithful performance and assumes responsibility for the amount of the bond.

**What happens if my bond is exhausted during my commission?**

This also is a matter that state statutes may address. The commissioning state may have the power to suspend a Notary until he or she obtains a new bond to replace the exhausted bond. Please see your state statutes for specific rules.

**Can my surety company cancel my bond?**

Yes. State statutes also may prescribe the procedures for cancellation of a Notary’s bond during the commission. The bonding company may wish to cancel the bond due to claims filed against the bond. The statute may require a specific time in which the surety must provide notice to the Notary of the surety’s intent to cancel the bond. This will give the Notary opportunity to obtain and file a replacement bond in order to continue to perform notarial acts without interruption of the commission.