

TRUSTED  
NOTARY®  
*Solutions for Employers*

Standards for  
Notary Practice



NATIONAL  
NOTARY  
ASSOCIATION

To see how the NNA can help enhance your organization's Notary compliance program, please contact:  
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## <EMPLOYER> STANDARDS FOR NOTARY PRACTICE

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### ***How to Use Recommended 'Standards for Notary Practice'***

*Employing Notaries is a smart step that helps mitigate your organization's risk while improving service and productivity. However, this specialized class of employees can present a distinct liability risk if not managed properly.*

*To help you provide safe and effective Notary services, the National Notary Association® offers these recommended "Standards for Notary Practice" as guidelines to establish and operate your Notary program, taking you through important aspects to consider. The goal is to help you foster practices that reduce exposure for your organization and prevent mishaps that harm your customers.*

*The challenge with Notaries as employees is that the laws and rules that govern how they operate are complex, are not universally defined and vary widely from state to state. Many states have scant Notary regulations, providing little direction for Notaries and their employers. But even states with well-defined statutes to guide Notary practice still have significant gaps. Regulations simply cannot cover every possible situation involving a notarial act and are no substitute for sound standards of professional practice.*

*The National Notary Association designed these recommendations to be used as a template to help you develop your organization's Notary policies and practices. You should review these guidelines and adapt them as necessary to your particular business environment and needs.*

## **INTRODUCTION TO NOTARY SERVICES AT <EMPLOYER>**

A Notary Public is a state-appointed official who serves as an impartial witness to certify certain facts about the signing of documents. The official process Notaries perform renders documents worthy of the public's trust. This offers assurance that a document is authentic, its signature is genuine, and its signer acted willingly and intended the terms of the document to be in full force and effect. If the notarization is flawed, there can be consequences.

Employees are selected by <EMPLOYER> to serve as Notaries to authenticate signatures on documents necessary to conduct <EMPLOYER> business and to provide Notary services to <EMPLOYER> customers. At their discretion, <EMPLOYER> Notary-employees may provide Notary services on their own personal time.

Notary practices are set by each state's laws and administrative rules and by generally accepted standards of professional conduct. <EMPLOYER> Notary-employees are obligated to follow all Notary laws, rules and professional standards of practice.

Before applying for a Notary commission, employees are required to thoroughly study and understand all materials and courses provided by the National Notary Association as well as information available through their respective states' handbooks, websites and education programs.

## NOTARY COMMISSIONS

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### Application

Each state commissions individuals to serve as Notaries, and the application process varies from state to state. Commission application and renewal instructions for each state are provided for <EMPLOYER> employees by the National Notary Association. To apply for or to renew a Notary commission, employees should go to the National Notary Association's TrustedNotary.com website and follow the onscreen instructions.

### Supplies and Expenses

<EMPLOYER> pays all expenses necessary to apply for and be commissioned as a Notary and to perform Notary duties, including state application fees and fees for training, reference materials, bond, official seal, journal and other supplies and materials.

Notary supplies and training are provided by the National Notary Association. <EMPLOYER> has set up preauthorized complete supply packages, including step-by-step instructions for new and renewing Notaries. To obtain supplies for a new or renewing Notary commission or order additional supplies, employees should go to the National Notary Association's TrustedNotary.com website and follow the onscreen instructions.

### Employment Status

If employment is ended, Notary-employees are not required to resign their Notary commissions.

While Notary supplies, including the journal, seal and bond, are paid for by <EMPLOYER>, they belong exclusively to the Notary, not to <EMPLOYER>. If employment is ended, Notary-employees must take their Notary supplies and their commission certificates with them, whether their commissions have expired or not. The only exceptions concern Notaries in Arizona, Oregon and Tennessee, where under certain circumstances the employer may retain the journal.

## Notary Records

When leaving employment, Notaries are required to take their journals with them and to ensure they are kept safe and secure. Journal safekeeping is important, because journals provide critical evidence that the Notary acted properly should any questions of negligence or misconduct against the Notary or employer arise. A lost or misplaced journal may have severe consequences — possibly a negative outcome in a lawsuit.

On departure, the Notary-employee shall provide copies of all journal entries related to <EMPLOYER> business to the Notary's supervisor on request.

An active journal may continue to be used by the Notary with further notarizations. Should the Notary no longer perform notarizations, all journals must be stored securely through the term of the commission. On term expiration, Notaries must deliver their journals to the designated official required by law or rule. If the state does not require records to be turned in, Notaries should continue to safeguard each journal for 10 years from the date of the last entry in the journal.

## Notary Seal

If employment is ended, Notary-employees must take their Notary seals with them. The Notary seal may continue to be used by the Notary through the term of the commission. If the Notary is inactive, the seal must be kept safe and secure. On commission expiration, the Notary should destroy or deface the seal unless state laws require a different method of disposition, such as submitting the seal to the Notary-regulating office.

## Notary Bond

Once filed with authorities, the Notary's bond remains active through the term of the commission. Bonds paid for by <EMPLOYER> are not revoked when employment ends.

## **Eligibility**

### Age

All states require an applicant to be 18 years or older, except for Nebraska (19) and Alabama (minimum age not specified).

### English Proficiency

Many states stipulate that Notaries must have the ability to read and write in English.

### Background Checks

Many states require that applicants for a Notary Public commission be free of convictions of crimes involving dishonesty or moral turpitude.

### Residency

It is common for states to require residency to receive a Notary commission. However, many states permit non-residents employed in the state to obtain a commission — usually limited to residents from bordering states.