Acknowledgements and Jurats

A special webinar presentation by the

NATIONAL NOTARY ASSOCIATION
Questions we will address today

What are the purposes and requirements of the most common acts: acknowledgements and jurats?

What does the basic certificate wording look like for each act?

What are the Notary’s responsibilities in attaching loose certificates?
General Requirements

When performing any notarial act, you must always require personal appearance.

Always verify the signer’s identity when notarizing a signature. Check your state’s laws regarding the acceptable identification processes.

Scan the document for completeness. The signer should fill in any blank spaces.

Always complete a journal entry to have record of the transaction.

Complete, sign, and seal the appropriate certificate wording to state the facts you certified.
Acknowledgments vs. Jurats

Overview of Purpose

An acknowledgment ensures that the signature on the document can be trusted by the receiving agency. Many important documents, such as recordable documents, loan agreements, and powers of attorney require acknowledgments.
Acknowledgments vs. Jurats
Overview of Purpose

A jurat (verification upon oath) requires the signer to be compelled to truthfulness regarding the content of the document. The signer is required to take an oath/affirmation before the Notary in order for the receiving agency to trust the signer’s statements within the document. Jurats are often performed on affidavits and depositions.
**Acknowledgment**

- Signer personally appears
- Signer is positively identified
- Signer acknowledges signature before the Notary
- Note: Notary is not required to witness signer sign

**Jurat**

- Signer personally appears
- Signer is positively identified
- Signer signs in the presence of the Notary
- Signer swears to content of document
Acknowledgments

Most widely performed

Used on deeds, powers of attorney

Main purpose to positively identify signer and verify signer freely signed document

Notary is not required to witness signer execute the document

Signer must always personally appear before the Notary to acknowledge his signature

In some states, there are prescribed acknowledgment certificates to use for signer’s in various capacities
Acknowledgment by an Individual

State of _________________________
County of _________________________
This instrument was acknowledged before me on ___________ (date) by
_____________________________ (name/s of person/s.)

_____________________________
(Signature of Notary Public)
(Seal)
Acknowledgment for Representative Capacity

State of _______________________
County of _______________________
This instrument was acknowledged before me on ___________ (date) by
_________________________________________ (name/s of person/s) as
________________________________________ (type of authority, e.g., officer,
trustee, etc.) of ________________________________________ (name of party
on behalf of whom instrument was executed).

________________________________________
(Signature of Notary Public)
(Seal)
State of California
County of ________

On ________________ before me, ____________________________ (here insert name and title of the officer), personally appeared ____________________________, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature ____________________________ (Seal)
Jurats

Also called ‘Verification Upon Oath’

Notary must identify signer

Document must be signed in Notary’s presence and oath or affirmation is administered

Often performed on affidavits and depositions

Jurat affidavit may be divided in two parts
Jurats

State of _________________________
County of _________________________
Signed and sworn (or affirmed) to before me on ____________ (date) by _________________ (name/s of person/s making statement).

______________________
(Signature of Notary Public)
(Seal)
State of California
County of ________________

Subscribed and sworn to (or affirmed) before me on this ____ day of ______, 20__, by __________________________, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Seal________________________
Signature____________________
Attaching a Loose Certificate

Notary must never choose the notarial act

If signer is not sure, the signer should check with requesting agency

Always secure loose certificate to document (Embosser recommended)

In some states, there are additional requirements regarding loose certificates

AZ-additional info required; CA-out of state wording stipulations; MD-loose certificates are prohibited
The fundamentals of notarization are consistent for all acts.

Acknowledgements ensure that the signature can be TRUSTED.

Jurats compel the signer to be truthful about the contents of the document.

Certificate wording is different for each act indicating facts certified.

In most states, Notaries can attach loose certificates when preprinted notarial wording is not attached.

The Notary must never choose the notarial act.
Being an NNA Member has its benefits:

- 24 Hour Online Help at NationalNotary.org
- Educational resources
- Regular Updates with NNA Publications
- Toll Free Hotline Support
- Member Privileges and Partner Discounts
- Up to 40% Discount on Notary Supplies
- And More

Learn more in your Member Benefits Guide
Connect with the NNA and other Notaries through our social media channels!

Stay updated on the latest NNA events, news and best practices.

facebook.com/nationalnotary

twitter.com/nationalnotary

linkedin.com/company/national-notary-association
June 3 – 6, 2012
Sheraton San Diego Hotel & Marina

Early Bird Registration Discount Now Available!
Q & A

For further information, contact:

hotline@nationalnotary.org

888-876-0827

Hotline Counselors are available to assist you:

*Monday – Friday 5am – 7pm and*

*Saturdays 5am – 5pm (PST)*
Thank you for joining us

National Notary Association

www.nationalnotary.org