



Notary Commission Clerk
 Ohio Secretary of State
 P.O. Box 1658
 Columbus, OH 43216-1658
 (614) 644-4559

INFORMATION FOR NEWLY COMMISSIONED NOTARIES PUBLIC

Being a notary public includes more than watching someone sign his or her name, filling in some blanks with an assortment of writing and rubber stamps, and impressing a notary seal. A notary public is an officer of the State of Ohio, commissioned by the Secretary of State only upon recommendation of a judge.

As a notary public, you will hold an important and dignified office and you will be expected to discharge your duties with care and dignity. Please review the following items taken from Chapter 147 of the Ohio Revised Code. They will help you properly perform your official tasks.

Before entering upon the duties of the office, a notary public shall present his or her commission with the oath endorsed thereon, to the clerk of the court of common pleas of the county in which the notary public resides.

OATHS

A frequent act of a notary public is administering oaths to persons making affidavits. To properly administer an oath the notary must do the following:

- (1) Adequately identify the affiant (the person giving the affidavit);
- (2) Administer an oath or affirmation to the affiant whereby the affiant is asked to state that the facts set forth in the affidavit are true;
- (3) Have the affiant sign the affidavit in your presence; and
- (4) Complete and execute the certification on the instrument, below the signature of the affiant.

Here is an example of a simple notary public jurat which appears at the end of an affidavit with notarial seal:

AFFIDAVIT

State of Ohio
 County of _____ } ss.

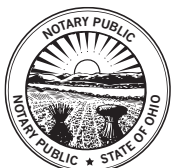
Being duly sworn, Jane Doe says as follows:

(written signature) _____
 (typed or printed name) _____

Sworn to and subscribed in my presence this _____ day of _____, 20_____.

(written signature) _____
 (typed or printed name) _____

Notary Public, State of Ohio
 My commission expires August 27, 20_____.
 Recorded in _____ County



Notary Seal

REMOVAL FROM OFFICE FOR CERTIFYING AFFIDAVIT WITHOUT ADMINISTERING OATH

No notary public shall certify to the affidavit of a person without administering the appropriate oath or affirmation to the person. A notary public who violates this section shall be removed from office by the court of common pleas of the county in which a conviction for such a violation occurs. The court shall certify the removal to the secretary of state. The person so removed shall be ineligible to reappointment for a period of three years. (R.C. 147.14)

ACKNOWLEDGMENTS

Acknowledgments appear on many legal instruments such as deeds, mortgages, liens, and powers of attorney. A person who wishes to acknowledge his/her signature on a document may bring the document to a notary and then acknowledge to the notary that the signature is his/her own and that he/she signed the instrument voluntarily and without duress. Your function as a notary public is to complete the acknowledgment form. You must adequately identify the person and then sign your name certifying that the document was acknowledged in your presence. If you are not admitted to the practice of law, it is illegal for you to prepare the legal instruments themselves, with violation punishable as contempt of court and by permanent revocation of your notary public commission.

TAKING AN ACKNOWLEDGMENT

A notary public taking an acknowledgment shall certify that the person acknowledging appeared before the notary public, acknowledged executing the instrument, and that the person acknowledging was known to the notary public taking the acknowledgment, or that the notary public had satisfactory evidence that the person acknowledging was the person described in, and who executed, the instrument. (R.C. 147.53)

FORMS OF ACKNOWLEDGEMENT

The forms of acknowledgement set forth in R.C. 147.55 may be used and are sufficient for their respective purposes under any section of Revised Code. The forms shall be known as "statutory short forms of acknowledgment" and may be referred to by that name. The authorization of the forms in R.C. 147.55 does not preclude the use of other forms (R.C. 147.55)

Here is an example of a common acknowledgment that is customarily printed or typed on legal instruments requiring an acknowledgment:

DEED

State of Ohio, County of _____ } ss.

Before me, a Notary Public for the State of Ohio, appeared the above named Jane Doe and John Doe, who acknowledged and signed the foregoing instrument and their signing was their free act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal this _____ day of _____, 20_____.

(written signature) _____

(typed or printed name) _____

Notary Public, State of Ohio

My commission expires August 27, 20_____

Recorded in _____ County