Secretary of State
Corporation Division

Basics Notary Presentation

CorporationDivision.SOS@sos.oregon.gov

sos.oregon.gov/business

(503) 986-2200

NotarySeminar.SOS@sos.Oregon.gov
Secretary of State
LaVonne Griffin-Valade

Featured Online Services

Latest News

Secretary Griffin-Valade Releases Preliminary Presidential Primary List
Jan. 18, 2024

In keeping with past practice, Oregon Secretary of State LaVonne Griffin-Valade released a preliminary list.

Secretary of State LaVonne Griffin-Valade Recognizes the People Who Make Democracy Work with National Awards
Jan. 3, 2024

In her capacity as a member of the National Association of Secretaries of State (NASS), Oregon Secretary […]

Secretary Griffin-Valade Invites Arabic- and Ukrainian-Speakers to Apply for the Translation Advisory Council
Jan. 5, 2024

Secretary of State LaVonne Griffin-Valade is encouraging Oregonians to apply to serve. […]

Secretary Griffin-Valade Shares Audits Division’s Report on Emergency Rental Assistance Program
Jan. 4, 2024

The following is a statement from Oregon Secretary of State LaVonne Griffin-Valade about the Oregon Audits […]

Oregon’s Housing Agency Distributed $426 Million in Emergency Rental Assistance, but is Unable to Verify Funds Were Distributed Properly
Jan. 4, 2024

As the COVID-19 pandemic turned the world on its head, thousands of Oregonians were threatened with eviction […]

Featured Links

Authentication (or Apostille)
Get notarization or certification authenticated

Small Business Assistance
Resolve issues with state and local agencies

Report Misuse of State Government Resources
Report misuse of resources

Notary Resources
Become a notary public
Notary

Become a Notary
Find a Notary
Notary Toolkit
Remote Online Notarization
Update a Commission Record

Got a Question?
Business registration, UCC, whatever, Corporation Division has the answer.
Get Answers

If you experience technical difficulties with Workday Learning, contact the Notary Team at NotarySeminar.SOS@osворотнегov.

Where’s My Form?
Fillings received as of January 15
<table>
<thead>
<tr>
<th>Filing Type</th>
<th>Estimated Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Online Filings (New &amp; Renew)</td>
<td>Estimated Time</td>
</tr>
<tr>
<td>Business Registry</td>
<td>1 Business Day</td>
</tr>
<tr>
<td>UCC</td>
<td>Now</td>
</tr>
<tr>
<td>Mail/Fax Service</td>
<td>Processing Date</td>
</tr>
<tr>
<td>Business Registry</td>
<td>1/3/2004</td>
</tr>
<tr>
<td>Notary</td>
<td>1/13/2024</td>
</tr>
<tr>
<td>UCC</td>
<td>1/13/2024</td>
</tr>
<tr>
<td>Copy Requests</td>
<td>1/3/2004</td>
</tr>
<tr>
<td>Apostille/Authentication</td>
<td>1/3/2004</td>
</tr>
</tbody>
</table>
Resources and Aids to Notarization

Notary Training Resources

- Notary Advanced Webinar Presentation
- Notary Basics Refresher
- Instructor-led and In-person practice sheets

Notarization Aids

- Notary Public Guide
- Notary Certificates
- Schedule of Fees
- Apostilles and Authentications
- Documents that can't be authenticated by the Secretary of State
- Documents that can be notarized
- False Identification - What you need to know.
- Notary Reference Card

Legal Resources

- Complaint Against a Notary
  Information about the complaint process.
- Laws and Rules
  Oregon Revised Statutes and Oregon Administrative Rules.

Professional Associations

- American Association of Notaries
Agenda

- Commission Application
- The Notary Public
- Documents that should not be notarized
- Apostilles and Authentications
- The Process
- The Signer

After the break:

- The Journal
- The Certificate
- Practice
Applying for a Commission

Complete Training

Start Notarizing

Online Exam

Purchase a Stamp & Journal

Oath of Office

Certificates

Start Notarizing
Commission Application

Notes

- Notary Education Training Number
- Commission Name
- Commission Signature
- Commission address

123456

John Quincy Public

John Q Public

5432 Main St.
Hometown, OR
97221
What is a Notary?

A notary is “a person of proven integrity appointed by the state to act as an impartial witness.”
Responsibilities to Your Commission

• You are responsible for correctly performing notarizations
• You are commissioned by the state
• You are responsible for journal & stamp
Responsibilities to the Secretary of State’s Office

- Tell us about changes, such as:
  - Name – 30 days
  - Address – 30 days
  - Lost/stolen stamp and journal – 10 days
  - Resigning your commission

- Forms available on SOS website:
A notary public is responsible for knowing and understanding Oregon laws and administrative rules relating to notaries.
Reasonable Care

Is “that degree of care which a person of ordinary prudence would exercise in the same or similar circumstances.”

Obey all Laws and Regulations.

Good Judgment & Common Sense

Errors & Omissions Insurance

Bonding
Misconduct

**Intentional Misconduct**
- is deliberate disobedience of notarial statute or rule.

**Unintentional Misconduct**
- is the negligent behavior that causes a notary to make an error in a notarization or accidentally forget to do what is required.
A Notary Public is usually not a lawyer.

An Oregon Notary Public may:
- Take acknowledgements
- Administer oaths
- Witness signatures
- Certify copies of documents not recordable in public records
- Verify a signer’s willingness and capacity to sign

A Notario Publico must have legal training, but is not necessarily a practicing attorney; rather, they are a public official authorized to provide legal advice and support.

A Notario Publico may:
- Be an arbitrator
- Be a mediator
- Issue judicial opinions
- Intervene in judicial proceedings
- Ensure that documents such as bylaws of companies, wills, deeds, powers of attorney, real estate purchase and establishments of trust conform to the law
- Ensure payment of taxes
Revocation of Your Commission

- Commission of a disqualifying crime
- Misuse of your powers as a Notary
Notarizing at Work: Employer Notarization Policy
(Notary Public Guide, Chapter 2)

- What times the notary will be available.
- What types of documents.
- What fees, if any, and where posted.
- Responsibility and procedures for renewal.
- Notarization for colleagues on work premises.
- Security & disposition of journal & stamp.
- Any liability coverage under employer’s insurance.

Employer can not control notarizations done after work hours.
Notary Fees

- $10 Act
- Travel fees
- Waiver

Fees need to be posted.
Documents that should not be notarized

- Documents without a certificate
  - You may provide an appropriate certificate if the customer can tell you what act is required
  - Never ‘notarize’ by simply stamping and signing the bottom of any document
- Documents that have a certificate that asks a notary to do something a notary is legally not allowed to do
- I-9 verifications
  - You may verify an employee’s identity as required by the form, but these documents do not require notarization
- Public documents

NEVER NOTARIZE BY STAMPING AND SIGNING THE BOTTOM OF A DOCUMENT. All notarizations MUST include a legitimate certificate.
Apostilles/Authentications

- Certifies the stamp, signature, and status of a public official (the notary)
- Does NOT certify or validate the content of the document getting the apostille
- Used to validate documents that need to be sent overseas
- Only for use on documents that are to be sent overseas
- Not valid for use on documents to be used within the U.S., or U.S. territories or possessions
Documents that cannot be apostilled or authenticated

- Photocopies of public documents (must be originals or certified copies)
- Documents that:
  - Contain statements regarding allegiance to a government or jurisdiction;
  - Relate to the relinquishment or renunciation of citizenship, sovereignty, *in itinere* status or world service authority; or
  - Make a claim of immunity for the signer from the law of this state or from federal law
What if I am asked to notarize a document that I know cannot be apostilled or authenticated?

- You may notarize the document, as long as it has an appropriate certificate that does not ask you to do something a notary is not allowed to do.
- You may ask if they intend to request an apostille, and refer them to guidelines on what documents can be apostilled.
- You may refuse the notarization, since the document will not be usable for its intended purpose.

Use your judgement--and remember that you are not allowed to give legal advice.
Proper Practice

1. Review the Document
2. Identify the Signer
3. Be Assured of Willingness and Competence/Capacity
4. Complete the Journal
5. Complete the Certificate
1. Look at the Document

- Whole Document
- Journal & Other Requirements
- Blank Spaces
- Unfamiliar Language
2. Identify the Signer

- Personal Knowledge
- Credible Witness
- Identification Documents
Credible Witness

- Witness identifies **Signer**
- Notary identifies **Witness** – ID or knowledge
- Witness is credible through **Oath**

Do you solemnly (swear)(affirm), under penalties of perjury, that you personally know this person as ____________________, that he/she is the person named in the document, and that you have no financial interest in and are not a party to this transaction (*so help you, God*)?
# Identification Documents

Can be expired up to 3 years before date of notarization.

<table>
<thead>
<tr>
<th>Identification Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driver License or DMV issued ID Card</td>
</tr>
<tr>
<td>- Provisional, Limited Term or Learner’s Permit.</td>
</tr>
<tr>
<td>- Or Non-expired Temporary Driver License or Temporary ID card – 30 days</td>
</tr>
<tr>
<td>U.S. or Foreign Passport</td>
</tr>
<tr>
<td>- Passport or Passport Card</td>
</tr>
<tr>
<td>U.S. Military ID Card</td>
</tr>
<tr>
<td>- Picture &amp; Signature</td>
</tr>
<tr>
<td>Federally Recognized Indian Tribe ID Card</td>
</tr>
<tr>
<td>U.S. Government-Issued ID</td>
</tr>
<tr>
<td>Correctional Facility ID for Inmates</td>
</tr>
</tbody>
</table>
3. Verify the Signer’s Willingness and Capacity: do they understand what is being signed and what it means?
Financial Exploitation

- **What is it?**

  *Improper use of another’s resources for personal gain:* using card w/o permission; draining accounts, taking property, skimming off transactions, stealing meds.

- **How does it happen?**
  - Without consent/knowledge;
  - Trickery, intimidation or influence;
  - Impairment prevents assent.

- **What can we do?**
  - **Be on guard:** $ docs; situations; warning signs
  - **Control the procedure:** talk to the signer - alone
  - **Report concerns:** Office of Training, Investigations, and Safety (OTIS) or county APD;
  - **Call 1-855-503-SAFE** (7233)
  - Or click on [www.oregon.gov/dhs/abuse](http://www.oregon.gov/dhs/abuse)
Break!
Step 4. Notary Journal

- One or more
  Paper or Electronic, or both.
- Retention Schedule
  10 years from date of last notarization.
- Journal agreement
- Disclosure
Journal Requirements

Acts that MUST be recorded in your journal:
- Witness Signatures
- Acknowledgements (individual or representative)

Acts that SHOULD be recorded in your journal:
- Administering oaths or affirmations
- Copy certifications
To comply with Oregon Consumer ID Theft Protection Act, type and expiration date only.

Take the room you need to adequately document the act.

Remember, fees may be taxable income.

No thumbprint provision in Oregon.

<table>
<thead>
<tr>
<th>Date/Time Of Act</th>
<th>Type of Act</th>
<th>Date of Document</th>
<th>Type of Document</th>
<th>Printed Name Contact Address</th>
<th>Signature</th>
<th>ID</th>
<th>Additional Information</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/1/16 8:32 a.m.</td>
<td>Individual Ack.</td>
<td>6/15/15</td>
<td>Grant deed</td>
<td>Jim Garner 111 Main St. Salem, OR 97301</td>
<td>J. Garner</td>
<td>ODL; 8/21/25</td>
<td>32 pages; previously signed</td>
<td>$10</td>
</tr>
<tr>
<td>Date/Time of Act</td>
<td>Type of Act</td>
<td>Doc. Date</td>
<td>Doc. Type</td>
<td>Printed Name</td>
<td>Contact Address</td>
<td>Signature</td>
<td>ID</td>
<td>Additional Info</td>
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</tr>
<tr>
<td>01/16/2017 10:30 a.m.</td>
<td>Oath</td>
<td>N/A</td>
<td>N/A</td>
<td>Marla May</td>
<td>2468 Neighborly Ln Yourtown, OR 97888</td>
<td>Marla May</td>
<td>ODL 5/21/2023</td>
<td>Credible Witness for John Jones</td>
</tr>
<tr>
<td>01/16/2017 10:30 a.m.</td>
<td>Indiv. Ack</td>
<td>01/16/2017</td>
<td>Limited POA</td>
<td>John Jones</td>
<td>2458 Neighborly Ln Yourtown, OR 97888</td>
<td>John Jones</td>
<td>Marla May, Credible Witness</td>
<td>N/A</td>
</tr>
<tr>
<td>Notarial Acts</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Acknowledgment  (Individual &amp; Representative)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Oaths  (Verbal Oath &amp; Verification on Oath or Affirmation - Jurat)</td>
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<td></td>
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</tr>
<tr>
<td>Witness a Signature</td>
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<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Copy Certification</td>
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<td></td>
</tr>
</tbody>
</table>

*(Sample Certificates - Notary Public Guide, p. 72)*
Acknowledgment:

*Individual Capacity*

- Personally Appear
- Properly Identified
- Acknowledge Signature
State of Oregon
County of Here

This record was acknowledged before me on today’s date by name of signer.

Notary Public

Notary Public – State of Oregon
My commission expires: 07/08/2026
Acknowledgment:
Representative Capacity

• *Representative* Personally Appears
• *Representative* Properly Identified
• *Representative* Acknowledges Signature on Behalf of Party
Acknowledgment - Representative

State of Oregon
County of Here

This record was acknowledged before me on today’s date by name of signer as role of signer of signer’s organization.

Notary Public

Notary Public – State of Oregon
My commission expires: 07/08/2025
Oaths – Written or Verbal

- Administering a verbal oath (e.g., credible witness)
- Verification on Oath or Affirmation (also called a Jurat)
- BOTH types of oath require a ceremony (they must be verbally administered)
State of Oregon
County of Umatilla

Signed and sworn to (or affirmed) before me on today’s date by name of signer.

Notary Public
Notary Public – State of Oregon
My commission expires: 07/08/2026
Witnessing Signatures

• Verify signer’s identity

• Verify Signer is signing competently and voluntarily.

• Signer signs while you watch.
Witnessing a Signature

State of Oregon
County of Coos

Signed (or attested) before me on today’s date by name of signer.

Notary Public
Notary Public – State of Oregon
My commission expires: 07/08/2026
Do not certify copies of public documents

Public:
- Vital records
- County clerk or court records
- FBI fingerprint cards
- To get a certified copy: request from appropriate entity/agency

Private:
- Drivers’ licenses
- Passports
- Certificates of training or accomplishment
- Academic transcripts
- Personal papers
- To get a certified copy: take it to a notary
State of Oregon
County of Here

I certify that this is a true and correct copy of a record in the possession of name of signer.

Dated today’s date.

Notary Public – State of Oregon
My commission expires: 07/08/2026
Step 5. Certificates
Components of a Certificate

6 Elements Every Time

WHERE
(State & County)

WHO
(Signer)

WHAT
(Act)

WHEN
(Date of notarization)

Official Stamp
(legible & reproducible)

Official Signature
Filling Out a Certificate

State of Oregon
County of Here

On this 7th day of Sept. 2021, before me name of notary, a notary public, personally appeared John Doe, personally known to me, or known by ID, to be the person(s) whose name(s) is(are) subscribed to this record, and acknowledged that he(she/they) executed the same.

Notary Public

My Commission expires: 7/8/26
Scenario 1: Certificate Provided

- Determine the Act.
- It’s your statement; conform it to the law
- It’s your statement; make it true.
Scenario 2: No Certificate Provided

- Which Act am I Witnessing?
- Match Certificate to Act
- Apply to Document
Grant Deed

Sandra L. Brown
State of OREGON

County of Marion

This record was acknowledged before me on (date) **December 12, 2015** by

(name(s)) of individual(s) **Sandra Brown**.

**Notary Public**
Notary Public - State of Oregon

**Official Stamp**

**Document Description**
This certificate is attached to page **1** of a **Grant Deed** (title or type of document), dated **December 12, 2015**, consisting of **1** pages.
Grant Deed

Sandra L. Brown

Notarial Certificate attached.
State of Washington
Oregon
County of Clark
Here

BEFORE ME, the undersigned authority, on this date day of month, year personally appeared Name of Signer, known to me/proven to me to be the person whose name is subscribed to the foregoing document and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed.

Name of Notary
Notary Public – State of Oregon
<table>
<thead>
<tr>
<th>Date/Time</th>
<th>Type of Act</th>
<th>Date of Document</th>
<th>Type of Document</th>
<th>Printed Name Contact Address</th>
<th>Signature</th>
<th>ID</th>
<th>Additional Information</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Today’s date &amp; time</td>
<td>Rep. Ack.</td>
<td>Today’s date or future effective date</td>
<td>Contract</td>
<td>Name of Signer PO Box 1 Oregon City, OR</td>
<td>Signature of Signer</td>
<td>ODL 9/15/2025</td>
<td>Mary Brown previously signed Signer filled in blank</td>
<td>-0-</td>
</tr>
</tbody>
</table>

State of Oregon  
County of Here

Signed and **acknowledged** before me on **month, date, year** by **Name of Signer** as **President** of **Oregon Auto Sales**.

---

**Name of Notary**

Notary Public – State of Oregon
<table>
<thead>
<tr>
<th>Date/Time Of Act</th>
<th>Type of Act</th>
<th>Date of Document</th>
<th>Type of Document</th>
<th>Printed Name Contact Address</th>
<th>Signature</th>
<th>ID</th>
<th>Additional Information</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Today’s date &amp; time</td>
<td>Witness Signature</td>
<td>No date on document or Undated</td>
<td>Medical Release Form</td>
<td>Name of Signer PO Box 1 Oregon City, OR</td>
<td>Signature of Signer</td>
<td>ODL 9/15/2025</td>
<td>Resigned before me. Added notary certificate to form.</td>
<td>$10</td>
</tr>
</tbody>
</table>
Medical Release Form

Child’s Name: Mary A Smith

Address: 1234 Here Street

City: Salem, State OR  Zip 97301

Cell Phone: 971-323-5555  Work Phone: 503-555-1234  Home Phone: 971-555-1212

I, __________ Name of Signer ___________ (parent/guardian) give permission for my child,
Mary A Smith ___________ (child) to take part in all Englewood School events and activities for the 2021-2022 school year. I hereby release Englewood School and its staff from responsibility and liability for any injury or illness that my child may sustain during these activities. In an event of an emergency, I hereby authorize the adult supervisor of this activity as an agent for me to consent to any medical, dental, surgical treatment and care deemed necessary by a licensed medical or dental professional. I consent to any x-ray examination, anesthetic, medical, dental or surgical diagnosis or treatment and hospital care under the general or special supervision and upon the advice of or to be rendered by a physician, dentist and/or surgeon licensed under the Medical Practice Act and Dental Practice Act for my child. I expect to be notified as soon as possible. I further agree to pay all charges for the medical, dental or hospital care or treatment.

Please sign in the presence of a Notary Public

Name of Signer
Parent/Guardian Printed Name

Signature of Signer
Parent/Guardian Signature

Signed before me on Today’s date, Year, by Name of Signer.

Name of Notary

Notary Public – State of Oregon
Verification on Oath or Affirmation (Jurat) Practice: Page 4
<table>
<thead>
<tr>
<th>Date/Time Of Act</th>
<th>Type of Act</th>
<th>Date of Document</th>
<th>Type of Document</th>
<th>Printed Name Contact Address</th>
<th>Signature</th>
<th>ID</th>
<th>Additional Information</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Today’s date &amp; time</td>
<td>Jurat/verification on oath or affirmation</td>
<td>undated</td>
<td>General Affidavit</td>
<td>Name of Signer PO Box 1 Oregon City, OR</td>
<td>Signature of Signer</td>
<td>ODL 9/15/2025</td>
<td>Added signers name to certificate</td>
<td>$10</td>
</tr>
</tbody>
</table>

State of Oregon
County of **Here**

Subscribed and sworn to/affirmed before me on this **today’s date**, of **month**, **Year**, by **Name of Signer**.

**Name of Notary**
Notary Public – State of Oregon
<table>
<thead>
<tr>
<th>Date/Time Of Act</th>
<th>Type of Act</th>
<th>Date of Document</th>
<th>Type of Document</th>
<th>Printed Name Contact Address</th>
<th>Signature</th>
<th>ID</th>
<th>Additional Information</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Today’s date &amp; time</td>
<td>Copy Certification</td>
<td>June 6, 1968</td>
<td>High School Diploma</td>
<td>Name of Signer PO Box 1 Oregon City, OR</td>
<td>Signature of Signer</td>
<td>ODL 9/15/2025</td>
<td>N/A</td>
<td>$10</td>
</tr>
</tbody>
</table>

State of Oregon
County of **Here**

I certify that this is a true and correct copy of a record in the possession of **Name of Signer**.

Dated: **Date, Month, Year**

**Name of Notary**

Notary Public – State of Oregon
Other Resources

- American Society of Notaries: www.asnnotary.org
- National Notary Association: www.nationalnotary.org
- Laws and Rules, Notary Guide and more:
  https://sos.oregon.gov/business/Pages/resources-aids-notarization.aspx
Secretary of State
Corporation Division

CorporationDivision.SOS@sos.oregon.gov

sos.oregon.gov/business

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