

WARNING*AVISO

WARNING REGARDING NOTARY SERVICES: YOU COULD LOSE YOUR CASE IF YOU HAVE A DEFECTIVE NOTARIZED DOCUMENT AND/OR YOU COULD BE SUBJECT TO LIABILITY IT IS THE PLAINTIFF'S RESPONSIBILITY TO INSURE DOCUMENTS TO BE FILED HAVE PROPER NOTARIZATION(S) – PLEASE READ BELOW:

A notary ***should never*** perform a notarization without the signer being in the notary's presence. A notary ***must always insist*** that the person for whom the notarization is performed ***personally appear before the notary at the time the notarization is executed.***

- A Notary should not perform a notarization on an ***unsigned document.***
- A notary ***should not*** perform a notarization when the signing party has already signed the document and is not present at the time the notarization is performed.
- A Notary ***should not*** perform a notarization when presented with a previously signed document that the presenter tells the notary that it was signed by the named party.
- A ***notary cannot take an acknowledgment over the telephone. The person whose signature is notarized must personally appear before the notary at the time the notarization is performed.***

A notary ***must identify the person*** for whom the notarization will be performed.

The Notary may notarize a document if the signing party is personally known to her/him , and has been introduced to the notary or the signing party has provided proper identification. Proper identification includes an identification card issued by a governmental agency or a passport issued by the US.

After the person has signed the document, the notary must:

- ◆ Fill in any blanks in the notarial certificate (date of notarization, name of person appearing, name of notary);
- ◆ Sign the notarial certificate in the same name under which the notary was commissioned; and
- ◆ The notary **MUST** affix the notary seal on the document being notarized.

The Secretary of State has authority to suspend or revoke a notary public's commission or take other disciplinary action against the notary for *good cause which includes performing any notarization when the person for whom the notarization is performed did not personally appear before the notary at the time the notarization is executed.*

QUESTIONS REGARDING NOTARIES: CALL THE TEXAS SECRETARY OF STATE AT 512-463-5558 or CONTACT VIA E-MAIL AT notary@sos.state.tx.us OR WEBSITE: <http://www.sos.state.tx.us/statdoc/notary-public.shtml>