



TYPES OF **NOTARIAL ACTS**

- **ACKNOWLEDGMENT** – signer personally appears before you and states they executed and signed the document for the purposes stated in the document
- **VERIFICATION ON OATH OR AFFIRMATION** – signer personally appears before you to swear (or affirm) that the information in the document is true and then signs the document
- **WITNESSING OR ATTESTING A SIGNATURE** – signer personally appears before you and signs the document in your presence
- **COPY CERTIFICATION** – notary compares a copy of the document to the original or makes a copy of the original document (not authorized to certify a copy of a “recordable document,” such as birth and death certificates, recorded titles to property, college transcripts, or anything bearing an official government seal)
- **OATH OR AFFIRMATION** – person personally appears before you to swear (or affirm)

IMPORTANCE OF **NOTARIES PUBLIC**

Notaries public serve as officers of the state and perform their duties with integrity. They provide an essential service to the public by certifying signatures on many life-changing documents. Notaries public help protect against fraud and ensure that the signer understands the document and is a willing participant in the transaction.

BECOME A **NOTARY PUBLIC**

- 1 Complete Notary Public Application – FirstStop Portal (firststop.sos.nd.gov) – and include the following:
 - a. Notary bond of \$7,500
 - b. Notary Oath of Office
 - c. \$36 filing fee
- 2 Secretary of State issues authorization for you to purchase a stamping device
- 3 Obtain stamping device from the vendor of your choice
- 4 Return an impression of the stamping device to the Secretary of State
- 5 Secretary of State issues commission certificate

NOTARY STAMP

REQUIREMENTS

- Leave a clear impression that can be photocopied
- Include the words “Notary Public” and “State of North Dakota”
- Contain the name of the notary public exactly as it appears on the authorization
- Contain the commission expiration date
- Surrounded by a border
- Not contain any other words, numbers, or symbols
- Size Requirements:
 - Circular Stamp: Up to or equal to 1-5/8 inch (41.28 millimeters) in diameter
 - Rectangular Stamp: Up to or equal to 7/8 inch (22.23 millimeters) in height and 2-5/8 inches (66.68 millimeters) in length



NOTARIAL CERTIFICATE REQUIREMENTS

- State and county where notarial act is being performed
- Text for certificate of notarial act
- Date notarial act was performed
- Signature of person whose signature is being notarized
- Your signature as on file with Secretary of State
- Clear impression of your stamping device

WHEN NOT TO NOTARIZE

- Signature is that of your spouse
- Believe that the signer is not competent or lacks the capacity to execute the instrument
- Do not believe the signer is executing the instrument knowingly or voluntarily
- While not prohibited, it is recommended not to notarize signatures of family members as it may appear to be unethical or biased

STEPS TO NOTARIZE A DOCUMENT

- 1 Require personal appearance
- 2 Examine the document
- 3 Identify the person whose signature is being notarized
- 4 Review the notarial certificate and complete the notarial act

FEEES FOR NOTARIAL ACTS

- No more than \$5 per notarial act
- Travel Fee - can be in addition to fee but must be agreed to in advance and signer must understand it is due to travel and not required by law

CONTACT US

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SECRETARY OF STATE