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