

## Notary Public Policy

### **Notary Service:**

The Newark Public Library provides basic Notary Public services during regular business hours by appointment only. Only Library Staff with valid New York State Notary License can provide Notary Services to the public. The Library cannot guarantee that a notary will be on staff at all times, and restrictions apply to notarizing specific documents. Notary services are the Library's courtesy and not the Notary's primary duty. Therefore, the Notary may ask the individual(s) to wait while the Notary tends to other library matters.

### **Fees:**

Notary services are provided free of charge.

### **Appointments:**

Notary services are available by appointment only. Please call the Library at 315-331-4370 to set up an appointment. Appointments are subject to the availability of on-site Notaries. If the Notary is unavailable due to illness or unforeseen circumstances, the Library cannot be held responsible for any consequences due to the need to reschedule or cancel an appointment. Individuals who present for an appointment without all required documents and/or a valid, acceptable form of identification as stipulated by this policy will need to reschedule their appointment. The Library reserves the right to limit the number and length of documents the Notary will notarize at any given time.

### **Restrictions:**

- The Notary will only attest to documents signed in his/her presence.
- The Library's Notary Service is not available for deeds and other real estate documents (i.e., Mortgages or Satisfaction of Mortgages), wills, living wills, trusts, codicils, birth certificates, death certificates, marriage certificates, titles, powers of attorney, depositions, or similar documents. Documents requiring an electronic signature, documents with photocopied signatures, blank pages or pages containing only signatures and Notary information, or hand-written/unofficial documents that do not contain a specific and legally authentic notary section as part of the document will not be notarized by the Library Notaries.
- Library Notaries cannot certify copies of documents.
- Library Notaries will not provide service if the individual seeking service, document, or circumstances of the request for Notary Service raises any issue of authenticity, ambiguity, doubt, or uncertainty for the Library. In this event, the Library Notary may decline to provide Notary Service at his/her discretion.
- The Library will not provide witnesses, and witnesses may not be solicited from other staff members or patrons using the Library. In order to serve as a witness, the witness must personally know the person whose document is being notarized and must be in possession of a valid New York State Driver's License or other government-issued photo identification.

- Any individual(s) seeking Notary Services must appear in person and present a valid, unexpired, New York State Driver's License or other government-issued photo identification. Out-of-state or international identification cards and/or out-of-state or international driver's licenses cannot be accepted.
- The Library does not provide Notary Services for those signing as a Power of Attorney (POA) for the individual(s) listed on the official paperwork.
- The Library cannot appropriately verify job titles or positions held by individuals other than Newark Library Staff or Trustees. Therefore, documents requiring the Notary to verify an individual's job title or position, except for Library Staff or Trustees, will not be notarized by Library Notaries.
- The Library does not offer Electronic Notarial Acts (ENAs).
- The name on the document to be notarized must match the individual's identification exactly. Individuals seeking Notary Service should complete all information on the document, except for the signature line, leaving no blanks. Notaries will not notarize any document with blank spaces.
- The Library is only equipped to notarize documents in English. The Notary and the individual(s) seeking notarization must be able to communicate directly with each other and with witnesses. The Library is not permitted to use a translator to communicate with a notary service customer. At this time, Newark Library Notary Staff speak English only.
- Library Notary Publics are not attorneys licensed to practice law and may not give legal advice or assist in document preparation. A Notary's role is limited to authenticating the signature presented. Individuals seeking Notary Service should be aware that notarizing a document does not constitute a legal review of the document's contents.

**Tracking of Notary Services:**

Individuals seeking Library Notary Services must first read and agree to this policy. Individuals seeking Library Notary Services, in accordance with the New York State Notary License Law, will have their information recorded in a Notary Public Journal. This Journal will be maintained for 10 years following the notarial act and is used to discourage fraudulent transactions and provide evidence if a notarial act is questioned in court. In agreeing to this policy, an individual agrees that his/her information, as recorded in the Journal, will be presented to law enforcement if a warrant is issued for this information.

**Legal Action:**

The identities, signatures, and official stamps of Library Notaries are not to be used in a fraudulent manner. Any individual who steals, reproduces, forges, or otherwise utilizes the identity, signature, or stamp of a Library Notary without the Notary's knowledge or permission will be subject to legal charges.

Additionally, any individual who commits any illegal act, including but not limited to those listed above, against The Newark Library Notary Service and/or Library Notaries will be banned from the Newark Public Library for 15 years.