

## Notary Acknowledgments and Apostilles

A Notary Public is commissioned by the Secretary of State to serve as an impartial witness that performs notarial acts. A Notary Public has the power to administer oaths and affirmations, take acknowledgments, and perform other duties as permitted by law for those who appear and sign in their presence. Notaries may perform duties when the signer produces satisfactory evidence confirming they are who they state they are by presenting acceptable forms of identification (ID) or if the signer is personally known to them. The notary also determines if the signer is willing and competent to sign the documents. If there is any misconduct by a notary public, they may have administrative, criminal, or civil penalties imposed upon them.

Acceptable identification includes a current ID or document issued by a federal or state governmental entity containing a photograph and signature of the signer. For U.S. persons, this may include:

- Valid Permanent Drivers License
- Valid U.S. Passport
- Valid U.S. Military ID card
- Valid Resident Alien Card (aka Green Card)
- Valid State Identification card

For Non-U.S. persons and to be compliant with the USA Patriot Act, notaries and closing agents in various states may require two of the following forms of ID:

**Either:**

- Valid Permanent Resident Card
- Valid Resident Alien Card (unexpired)
- Valid U.S. Citizen ID card
- Valid Employment Authorization card
- Valid Temporary Resident Card (unexpired)
- Valid Non-U.S. Passport (unexpired)
- Valid Non-Resident Alien Border Crossing Card
- Valid Non-Immigrant Visa or Border Crossing Card

**Along with one of the following:**

- Current car registration
- Current pay stub
- Utility bill or other statement with the name and address matching the ID

It is important to note that many lenders (and some closing agents) are requiring all borrowers to present two valid forms of ID when closing a purchase or refinance transaction. The secondary form of ID may include items such as a social security card, current car registration, utility bill or account statement, current membership cards, current credit card, or other form of ID. To avoid delays in closings, real estate brokers and lenders should inform their customers to bring at least two forms of ID with them to closing.

Documents can also be notarized outside the United States. In foreign countries, notary services may be performed by officers authorized to take acknowledgments in the Embassies or Consulates; Staff Judge Advocates or commissioned officers (commonly found on U.S. Military bases or within Embassies), or private notarial agencies.

(Continued on page 2...)



