

Common Notary Certificate Issues Explained

By David Thun on August 20, 2014 in [Best Practices](#)

Updated 5-28-19. Notaries often encounter confusing situations when filling out certificate wording. Here are answers to common questions about certificate wording asked on the [NNA Notary Hotline](#).

What if a document doesn't include a certificate?

You should ask the signer what type of notarial act they need. Notaries

aren't allowed to choose the type of notarization on a signer's behalf. If the signer isn't clear on this, you may describe the different notarial acts — for example, the two [most common notarizations](#) are acknowledgments and jurats — and let the signer choose.

If the signer isn't sure what notarial act is needed, they can contact the agency that issued or is receiving the document or an attorney for instructions. They will tell you what notarial act is needed, and you can attach and complete [the appropriate certificate form](#).

Can I affix my stamp to a document with no certificate wording?

The answer is generally no. In most states, if there is no certificate wording included with the document, you cannot complete the notarization. State laws almost universally require the Notary's seal to be affixed near the Notary's signature on a notarial certificate appropriate to the notarization being performed.

One exception is the state of **Maryland**, which does not allow loose certificates. In Maryland, if the document does not contain any acknowledgment or oath wording, the Notary may witness the signing of the document in the Notary's official capacity. This is considered “signature witnessing.” The Maryland Notary must do the following:

- [Verify the signer's identity.](#)



- Observe the signing of the document.
- Date, sign and stamp/seal the document.
- Note on the document the date their Notary commission expires.
- [Record the notarization](#) in their Notary journal.

Michigan Notaries also may stamp and sign a document under certain circumstances because of a 2006 law that repealed the Notary certificate forms from the statute.

May I complete an acknowledgment and a jurat for the same signer on one document?

Yes. In this case, you would be performing two separate notarial acts for a signer. You may charge for each notarization (acknowledgment and jurat) and would make two separate journal entries. Be sure to follow all of your state's rules for each notarization.

May I use [certificate wording from another state](#) to complete a notarization?

In most cases, yes. **California** is the only exception where Notaries are required to [use specific certificate language](#) prescribed by statute for certain acts. California Notaries must always use the California-specific jurat wording, and they must use the California acknowledgment wording if the document will be filed in California.

Most states, such as **Texas**, include certificate wording in their statutes but permit you to use other wording, as long as it is substantially similar to their forms. **Florida** permits using any wording that includes [9 required certificate elements in Florida law](#). A few states, such as **Georgia**, don't have specific certificate wording in their statutes but instead offer suggested wording on their websites or in their Notary handbooks.

As a general rule, you may use an out-of-state certificate as long as it meets your state's requirements for that notarial act and doesn't ask you to do something that's not authorized in your state (California Notaries, for example, are not allowed to certify a person's representative capacity).

May I correct an error on an acknowledgment or jurat certificate?

It depends on your state's requirements and when the mistake is discovered.

In California, if you spot an error during the notarization while the signer is present before you, then yes — you can line through the mistake, enter the correct information, and initial and date the change. However, if the error is found after the notarization is completed and the signer leaves, the answer is

no — in that case, a new notarial act would have to be completed. Florida is even more restrictive. You can't amend a notarial certificate after the notarization is complete. A new notarization would be required.

Some states provide specific instructions or regulations on making corrections in the certificate. In **Arizona**, if a Notary attaches a loose certificate to correct an error, the law requires the Notary to describe the attached document on the loose certificate. Always be sure to follow your state's rules regarding certificate corrections.

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