

Notary Public Policy**PURPOSE**

A Texas notary public is, in the true sense of the word, "a public servant" and "an officer of the State of Texas" conveniently located in the community so that the notary may be of service to the public. Each notary public takes an official oath of office to faithfully perform the duties of the office, and to ensure such performance, a notary public is required to post a \$10,000.00 bond with the Secretary of State.

The Seguin Public Library provides notary public services to customers for a nominal fee in accordance with Chapter 406 of the Texas Government Code, the secretary of state's administrative rules found in Title 1, Chapter 87 of the Texas Administrative Code, and other statutes, such as Chapter 121 of the Texas Civil Practice & Remedies Code, that also govern certain notary conduct. Library notaries will decline to provide notary services in situations that do not comply with the regulations listed above and the library's Notary Public Policy as outlined below.

POLICY

- I. A Seguin Public Library notary is a public servant with statewide jurisdiction who is authorized to take acknowledgments, protest instruments permitted by law to be protested (primarily negotiable instruments and bills and notes), administer oaths, and certify copies of documents not recordable in the public records.
- II. Seguin Public Library notaries are witness to an individual signing a document or sworn statement and nothing more. Notaries are not attorneys and are not permitted to prepare, draft, select or give advice concerning legal documents.
- III. A notary public cannot determine the type of notarial certificate needed. Documents not containing notary language or a notary certificate cannot be notarized.
- IV. Documents presented for notarization must be complete (i.e., no blank spaces), ready for signature and include a notarial certificate of acknowledgment. The document or form to be notarized must clearly show where the notary should sign and add the notarial seal, as well as explain what the notary is acknowledging. The notary will need to see the entire document to notarize any section of it.
- V. The notary will attest only to documents signed in his/her presence. If there is more than one party signing a document, all parties must be present at the same time for the notarization to take place. No pre-signed documents will be notarized.
- VI. Customers must provide their own witnesses. Witnesses will NOT be provided by the library nor may witnesses be obtained from people using the library. Witnesses must

have personal knowledge of the individual requiring the notarization and witnesses must provide appropriate and valid photo identification.

- VII. Only documents in English can be notarized. Library notaries will not translate documents. A notary and the person seeking notarization must be able to communicate directly with each other. Library notaries are not permitted to make use of a translator to communicate with an individual seeking notary service.
- VIII. Notaries will not provide service if the requestor, document, or circumstance of the request for notary services raises an issue of authenticity, ambiguity, doubt, or uncertainty for the library. In this event, the notary may, at his or her sole discretion, decline to provide notary public service.

GUIDELINES

- I. All individuals seeking notarization, as well as any witnesses, must provide the notary with a current, valid, unexpired photo identification issued by a state or federal agency that includes photo and signature.
 - A. Acceptable Forms of Identification (Unexpired):
 1. United States' State issued photo identification such as a driver's license or ID card
 2. United States passport
 3. United States work visa
 4. State issued gun license
 5. United States military photo identification
 6. Tribal identification card
 - B. Unacceptable Forms of Identification:
 1. Social Security Cards
 2. Birth certificates
 3. Credit cards
 4. Credible witnesses
 5. IDs, Visas, or Passports from countries other than the United States
- II. Notary service cannot be guaranteed to people who do not make a reservation. Notary services are available by appointment and as walk-ins Monday-Friday from 9:00 am-5:00 pm. Notary services are provided on a first-come, first-served basis. Notarizations will not be handled in the final 30 minutes before closing in the event of an early closure.
- III. Notary fee is \$5.00 per document. Notary service is limited to three (3) documents per person, per visit. The notary fee must be paid prior to the service.
- IV. The library does not provide free copies of documents requiring notarization. If multiple copies of the notarized documents are needed, then multiple originals must be brought

for notarization. If the requestor needs to make additional copies after the notarization has been completed library printing fees will apply.

- V. Notary services are offered at the library's discretion and are not a primary or overriding library responsibility. Library notaries may, as the situation requires, leave a notarization in progress to attend to library needs.
- VI. Notary service is not available for:
 - A. Documents in any language other than English.
 - B. Notary cannot certify online documents or provide online notarization.
 - C. Deeds, property, mortgages or other real estate closing documents, power of attorney, depositions, wills, living wills, living trusts, codicils, documents related to estate settlement.
 - D. Library notaries are not permitted to notarize, certify, or verify publicly recorded documents or photocopies/copies of public record documents including birth certificates, death certificates, and marriage licenses/certificates, passports, visas, diplomas, etc.
 - E. Library notaries cannot certify verbal oaths, affirmations, or depositions.
 - F. Documents of conveyance (transfer of title or deed).
 - G. Business documents or documents for any business organization.
 - H. I9 (Employment Eligibility Verification) form.

DISCLAIMER

- I. The library, library staff, and notary assume no responsibility for transactions or events related to notarized documents.
- II. A notary public is not a notario or notario público.
- III. A notary public is not authorized to practice law. A notary public may not give legal advice or prepare legal documents.
- IV. A notary public may not charge a fee for preparation of immigration documents or represent someone in immigration matters.

Jacki Gross
Library Director
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