

Notary Serves as an Official Witness to Transactions

A notary public is an official witness. To serve as an official witness, you must follow several important steps.

Firstly, you become a notary public by applying for official permission from a given state or county for authority to serve the public. Anyone can step up and help the public, but if you want to do so officially and with authority, you have to apply and be approved. So, the first step to serving as an official witness is to ask for and receive official permission from the government of the people to act as an agent of the people.

Secondly, as an official witness, you are a government official. This means that all the usual rules for government officials apply to your actions as a notary public. When you put on your notary hat (open your notary journal, pick up your notary seal, and sign a notarial certificate), you are doing so as an agent of the government of your jurisdiction and of the people whom that government represents. You are not allowed to discriminate against members of the public due to age, race, gender, religion, or other personal attributes while fulfilling the duties of the office. If the request is legal and reasonable, you are required to serve the public.

Thirdly, in order to be an official witness, you have to be present and observe the signing. Notaries public are strictly prohibited from notarizing if the signer is not present before the notary with his or her document at a place within the notary's jurisdiction. The venue (State of __, County of __) indicates where the signer and notary were both present for the notarization. The other specifics, such as the date of signing, are contained in the notarial certificate.

This article is part of the ongoing series begun in "What Does a Notary Public Do?"

NOTE: This article serves as informational purposes to broaden the knowledge of the notary public. The Delaware Notary Association is dedicated in keeping the Delaware Notary with working information in performing their duties to the best they can and to the fullest.

Please feel free at any time to send questions, comments, etc. on topics for future articles.