

## Can a Notary Offer Non-Notarial Services to their Notary Clients?

Most notaries acquire a notary commission as an additional credential. Very often, offering notarial services is not the notary's only, or primary, occupation. Many individuals become notaries at the request of their employers, while others wish to offer services to their local communities and neighborhoods. In many cases, a notary may be an expert in another field such as banking, real estate, retail, education, or medicine. However, notaries are strictly prohibited from offering advice to their notarial clients or instructing them about the nature and content of the documents to be notarized, because that is considered to be the unauthorized practice of law. What should a notary do, then, if a client seeks advice in other areas in which the notary is an expert? This is a question that most notaries will face at one time or another, and handling this concern properly is important. In most jurisdictions, the unauthorized practice of law carries criminal and administrative penalties.

It is possible for a notary to wear several hats and still maintain his notarial impartiality. This requires careful consideration, and the notary must operate with honesty and integrity when faced with these issues. When a client comes to the notary with a document to be notarized or to request any other notarial service, the notary must restrict his involvement with that client solely to offering notarial services. The notary should not offer any advice or observations prompted by his other areas of knowledge, even if asked.

When a client comes to your office, she may see that you are well equipped with office materials. She may see that you have accountant credentials or other professional certificates posted on your walls or hear you speak and realize that you are bilingual. She may simply dialogue with you and determine that you are intelligent and competent. Perhaps a client is having the beneficiary form for her pension benefit election notarized and wants to know if you can explain the tax implications of a lump sum benefit. Even if you understand the question and know the answer, as a notary you must always remain as a disinterested party and refrain from answering the question or offering any advice. Clients will probably not understand this, and they may be taken aback by your refusal, but to give in would be to break the law. Your only recourse is to explain your restrictions to the client and refer her to another practitioner.

This does not mean that a notary must abandon his other career or skills just because he has obtained a notary commission. The client mentioned above may come back to your office to avail herself of your other services at another time. The notary is certainly free to work in any field, offer any service, or provide consultation and skills to any client - *as long as the client is not seeking notarial services*. The most important requirement of any notary, in any jurisdiction, is to be a person of proven integrity. It is incumbent upon the notary to separate his notarial services from all other services that he may offer. If a client needs additional services or advice, the notary should direct the client to seek advice from another professional, or if the questions pertain to the document being notarized, the client should inquire further from the document recipient. This is in the best interest of the client and the notary.