

Notary Jurat Certificates vs. Acknowledgment Certificates

The two most common certificates used by notaries public are jurats and acknowledgments. They are not handled the same and this confuses many notaries public. Please note the differences explained below.

Jurat Certificate:

The language is "*Sworn (or affirmed) and subscribed to before me, Sam Notary, a notary public, by Jack Signer on the 15th day of June, 2014"*

In plain language the jurat certificate says that Jack Signer was in the presence of Sam Notary.

Jack swore (or affirmed) to the truthfulness of the document. (In other words, Jack took an oath/affirmation.)

It also says that the Jack Signer "subscribed to" the document "before me." "Me" means Sam Notary. So, obviously, Jack would be required to sign the document in Sam Notary's presence because the certificate states that Sam saw Jack sign the document. (This might seem like we are overstating the obvious, but when you get to the section about the acknowledgment certificate, you will see the difference.)

The Verbal Ceremony for Jurat Certificates

Sam Notary says, "*Jack Signer, do you swear or affirm that the statements in this document are true to the best of your knowledge?*"

Jack: "Yes."

Sam Notary: "Sir, please sign the document."

Sam observes while Jack signs the document.

Sam Notary completes the certificate with his signature and seal.

Important to Know about Jurat Certificates: If Jack had signed the document before he went by Sam's notary office, Sam would be required to have Jack sign the document in his presence. Sam was required to observe Jack Signer sign the document.

Acknowledgement Certificate:

The language is "*Before me, Sam Notary, a notary public, on this day personally appeared Jack Signer, proved to me through presentation of a U.S. Passport to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this 15th day of June, 2014."*

In plain language the acknowledgment certificate says that Jack Signer appeared before Sam Notary. Sam Notary saw Jack Signer's U.S. Passport and that is how he identified Jack.

Note that the acknowledgement certificate *does not* say that Jack signed his name in the presence of Sam Notary. It says that Jack ACKNOWLEDGED to Sam that he signed the document. Therefore, it would be acceptable if Jack Signer had signed the document before going to Sam's office. Sam does NOT have to witness Jack signing the document. Sam Notary must ask Jack to acknowledge that he signed the document.

The Verbal Ceremony for Acknowledgments

Before administering the verbal ceremony, Sam Notary instructs Jack Signer to sign the document, if it is not already signed.

Sam Notary says, "*Jack Signer, do you acknowledge that this is your signature and you are signing (or have signed) this document for the purposes stated in the document?*"

Jack: "Yes."

Sam Notary completes the certificate with his signature and seal.

Important to know about acknowledgment certificates: Jack Signer may sign the document *before* he drops by at Sam's notary office. Once he is at the office Jack Signer must ACKNOWLEDGE his signature and that he signed the document for the purposes stated in the document. Sam is not required to watch Jack sign the document.

Summary:

- 1-While it is always better if a document that is to be acknowledged is signed in the notary's presence, it is NOT required.
- 2-A document attached to a jurat certificate MUST be signed in the notary's presence.
- 3-Notaries must administer verbal ceremonies that match the notary certificates that will complete. Where verbal ceremonies are concerned, one size does not fit all!