

## Notarizing Previously Signed Documents

There are times, as a notary, when you will be presented with a document for notarization which has been previously signed. This may occur simply because the signer thinks they're being thorough by filling in all the blanks and signing before they meet with you. At other times, a document may have been signed and submitted to the recipient before the signer was aware that notarization was required; now the document has been returned and the signer requires the services of a Notary.

The first step is to check the notary certificate to determine what type of notarization is required. If the document contains an acknowledgment certificate, you, the Notary, will follow the same basic procedure as with any other document which requires acknowledging. In every case where an acknowledgment is to be executed, you must determine that the name on the document, the face of the individual standing before you and the signature of the signer match the name, face and signature on the identifying document, i.e. the drivers' license or passport. In the case where the signer has previously signed the document, you will still check to make sure the signature on the document and the signature on the photo ID is the same. You need not compel the signer to re-sign the document. Ask the signer, "Did you sign this document of your own free will and accord?" If the signer gives an affirmative answer, you will proceed with the notarization as usual, being careful to record all the information in your notary record book or journal.

If the document contains a jurat - the notary certificate at the bottom of an affidavit - then it will be necessary to ask the signer to re-sign the document. The execution of the affidavit requires the giving of an oath or affirmation. The signer must sign the document after he has given a confirmatory response to the question, "Do you solemnly swear (or affirm) under penalty of perjury that the documents' contents are true and correct to the best of your knowledge?" If the signer has previously signed the document, you should give him or her a brief explanation as to why they are being asked to re-sign the document. In both the case of the acknowledgment or the jurat, the notary must use the current date - the date of notarization - in the notary certificate, regardless of the date of the document or when it was previously signed.