IMPORTANT GUIDELINES FOR VIRGINIA NOTARIES

The first and most important duty of a Virginia Notary Public is to become and continue to be thoroughly familiar with everything contained in *The Virginia Handbook for Notaries.* This is the operator's manual for exercising the powers and responsibilities of the position. No one should perform any duty as notary without having an understanding of what this publication contains. Performing any duty of a notary in a manner that is contrary to the contents of the *Handbook* may result in the revocation of the notary's commission and criminal prosecution resulting in a fine and jail time. **Legal counsel should be consulted whenever specific problems or questions arise concerning any aspect of the office of a notary public.**

Here are some very important points to remember that are based on frequently asked questions or complaints regarding service as a Virginia Notary Public:

- A notary is a public official appointed by the Governor. Even though a notary may hold that position to serve his or her employer, no employer or supervisor can impose requirements pertaining to a notary that are contrary to Virginia's laws and regulations pertaining to notaries.

- A notary must always be completely satisfied with the identity of the person whose signature is being notarized. A notary is not obligated to notarize a person's signature without being sure that the person is who he or she claims to be. Always check identification and be satisfied that the identification is valid. Never accept the word of a third party as being sufficient for identification to justify notarizing a person's signature.

- A notary ***cannot*** notarize his or her own signature, the signature of his or her spouse or a document in which the notary or the notary's spouse may benefit. For example, a notary cannot notarize a will in which a notary or the notary's spouse is to be a beneficiary.

- A notary ***cannot*** certify birth, marriage, death certificates (copies or originals.)

- A notary is ***not authorized*** to perform marriages or any act that constitutes the practice of law.

- The term "acknowledged before me" means that the person signing the document has satisfactorily established his or her identity to the notary and has acknowledged to the notary that the signature on the document was voluntarily affixed by him or her for the purposes stated in the document.

- A notary is not required to charge a fee for his or her services, but if a fee is charged, it ***cannot*** be more than $10.00 for each notarial act.

- A Virginia notary may notarize a document to be filed and used outside of Virginia if it is signed and notarized in Virginia.

- If a notary has any changes to their contact information (i.e. address, phone number, business address, business phone number, etc.) during their commission, you must log in to your online notary account and update your information promptly. Please note that only contact information may be updated online.

- A Virginia notary's seal must be photographically reproducible and contain the name of the notary exactly as it appears on the notary's commission, the words "Notary Public" and "Commonwealth of Virginia." Stamps/seals must be ordered through an outside vendor.

Information on stamp/seal must be accurate. The Office of the Secretary of the Commonwealth does not sell or make notary stamps/seals.

To obtain a notary seal, a notary public shall present proof of his commission to a vendor or manufacturer for purposes of obtaining a seal to affix on paper documents as required by the provisions of this title. The notary public and vendor or manufacturer shall retain such proof of commission for no less than five years.

- There are seven (7) items required for the notary to state on each document being notarized:

1. The name of the county or independent city in which the document is signed
2. The date the document is signed.
3. The notarial statement – what is being notarized (i.e. a signature, a true copy of an original, or an oath)
4. The notary's signature
5. The date that the notary's commission expires (month, day, year)
6. Notary registration number
7. Photographically reproducible notary seal/stamp

- Every effort should be made to have complete notarization on the same page as the signature(s) being notarized. If notarization is on a separate page from signature(s), the notarial statement must include the name of each person whose signature is being notarized.

- If a notary has any questions or concerns regarding any act of a Notary Public, he or she should contact the Secretary of the Commonwealth Notary Division BEFORE performing that act.

- If a notary violates any law or regulation governing notaries public, the Secretary of the Commonwealth may revoke his or her commission. A notary may be criminally prosecuted for willful misconduct. It is a felony to act as a notary without having a valid commission and doing so may result in imprisonment for each offense.

- **All notaries** are required by law to keep and maintain a notary journal for a period of at least five (5) years from the date of the transaction starting July 1, 2026.

- A notary's commission may be renewed every fourth year by filing a new application with the Secretary of the Commonwealth's Office.

- If there are any changes to the notary laws the information will be available by July 1 of every year under Official Documents on the notary website www.commonwealth.virginia.gov or by calling the Secretary of the Commonwealth's Office.

- We recommend creating a Notary Management account on our website. The Notary Management account will allow you to check the status of notary applications, update your contact information, and, if eligible, renew online. The log-on and creation link can be found under Official Documents on the Secretary of the Commonwealth's website at www.commonwealth.virginia.gov

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