

## **Notary General Information**

A notary performs specific types of notarial acts which are listed in section 51-107, Idaho Code. There is a particular form of certificate for each type of notarial act; it is not, however, the notary's function to determine what type of notarial act is required with regard to a request for "notarization" of a document. Depending on the nature of the document, the notarizing officer will either take an acknowledgement that your signature was done freely and with an understanding of the document's contents, or administer an oath whereby you swear or affirm the contents of a document are true. (Note: Notarizing officers do not certify that the contents of submitted documents are true. A notarizing officer only certifies that you have signed and sworn or affirmed under oath that the contents are true.) Do not sign the document until requested to do so by the notarizing officer. If witnesses are required, you must bring your own. Notarizing officers are prohibited from offering legal advice regarding the form or content of documents to be notarized

### **Jurats/Affirmation**

A "jurat" is a written declaration or statement of facts, made voluntarily and confirmed by the oath or affirmation of the party making it, taken before an officer having authority to administer such oath or affirmation. Jurats require the **personal presence** of the individual signing the document in order for the notary to administer the oath. In completing the jurat's form, the notary certifies: (1) that the maker personally appeared before the notary on the date in the county indicate; (2) that the maker signed the statement in the notary's presence; and (3) that the notary administered the oath or affirmation to the maker. Signer of the document is required to present satisfactory identification that contains their name, signature, and photograph.

### **Acknowledgements**

An "acknowledgement" is to "acknowledge", to admit, affirm, or declare; to recognize one's acts, assuming obligation or incurring responsibility. The essence of taking an acknowledgement consists of positively identifying the signer of a document. The signer need not sign in the notary's presence, but **must personally appear** before the notary and unambiguously state that the signature on the document is his or hers. The notary will verify the identify of the person signing the document either by personally knowing the signer, by the sworn identification of the signer by a person known to the notary, or by presentation by the signer of satisfactory identification that contains their name, signature, and photograph.

This is a free service to the residents of the City of Star.