

Lewis & Clark College

Notary Public Policy

October 30, 2013

Policy Statement: College documents are required to be notarized in the normal course of business. The intent of the policy is to (1) ensure all notary-employees are well-trained public officials that are in compliance with State of Oregon notary standards in order to protect the college and the notary-employee, and (2) educate supervisors and officers on the responsibilities of notaries.

Procedures:

1. The Business & Finance Office will maintain a current list of notary publics employed at the college and the renewal date of their commission. A list of available notaries will be posted on the Notary Public web page.
2. Employees who are required to perform notary duties in connection with their college job responsibilities will have these duties included in their job description by their manager/supervisor.
3. Each notary will receive and agree to follow the [Notary Public's Code of Professional Responsibility](#).
 - A. The notary-employees shall serve all of the public in an honest, fair and unbiased manner.
 - B. The Notary-employee shall act as an impartial witness and not profit or gain from any document or transaction requiring a notarial act.
 - i. Notary-employees are prohibited from executing any act in which they or a close relative are named.
 - ii. Notary-employees are prohibited from executing any act on any transaction in which they receive direct compensation (bonus, commission, or other direct compensation on the transaction in which they are executing).
 - iii. Notary-employees shall NOT charge fees during normal business hours while notarizing documents for college business or personal documents of employees, students or friends of the college.
 - C. The notary-employee shall require the presence of each signer and oath-taker in order to carefully screen each for identity and willingness, and to observe that each appears aware of the significance of the transaction requiring a notarial act.
 - i. Notary-employees should positively identify each and every signer according to accepted notarial principles.
 - D. The notary-employee shall not execute a false or incomplete certificate, nor be involved with any document or transaction that the notary-employee believes is false, deceptive or fraudulent.

- i. The College insurance policy covers notary-employees for any notarial acts done at the request of or for the benefit of the college, its employees, students or friends of the college.
- E. The notary-employee shall give precedence to the rules of law over the dictates or expectations of any person or entity.
 - i. Notary-employees may refuse any notarial act requested by any college employee, officer, director or any other requestor if such act is deemed illegal, unethical or ambiguous by the notary-employee.
 - ii. Notary-employees are to be free from any retribution or retaliation for refusal of any acts that are deemed illegal, unethical or ambiguous by the notary-employee.
 - iii. No college employee, officer or director shall request any notarial act on any document when the document signer is unable to personally appear before the notary-employee.
 - iv. The college will reimburse the notary-employee for all costs necessary for commissioning through the State of Oregon.
 - v. Costs to obtain commission obtained in neighboring jurisdictions will not be reimbursed unless expressly requested by a supervisor of the commissioned notary-employee and only at the rate specified in that jurisdiction as statute allows.
 - vi. The college may not revoke any commission of any notary-employee but may choose to discontinue monetary support for commission or supplies without prior notice and without cause.
 - vii. Notary-employees will be reimbursed at current reasonable rates for the necessary tools of their notarial office limited to:
 - a. Notary Journal
 - b. Official Notary Seal
- F. The notary-employee shall act as a ministerial officer and not provide unauthorized advice or services.
- G. The notary-employee shall affix a seal/stamp on every notarized document and not allow this universally recognized symbol of office to be used by another or in an endorsement or promotion.
 - i. Notary-employees should utilize a notarial seal/stamp compliant with state statute in every execution.
 - ii. Notary-employees must keep their notarial seal/stamps in a locked and secure location and not allow its use by any other person, notary or otherwise. Supervisors of notary-employees must provide a locking facility on-site or provide a locking portable case that remains under the sole control of the notary-employee.
- H. The notary-employee shall record every notarial act in a bound journal or other secure recording device and safeguard it as an important public record.
 - i. The notary-employee shall not surrender the journal to the college upon termination of employment unless law expressly authorizes, although the notary-employee shall allow the college to make a copy of the journal.

- ii. The notary-employee shall safely store the notary journal for ten years from the date of the last entry.
- I. The notary-employee shall respect the privacy of each signer and not divulge or use personal or proprietary information disclosed during execution of a notarial act for other than an official purpose.
- J. The notary-employee shall seek instruction on notarization, and keep current on the laws, practices and requirements of the notarial office.
 - i. The College shall provide opportunity for on-going continuing education for notary-employees by a recognized authority on notary education.
 - ii. Within 3 months prior to renewal, each notary-employee shall attend an approved notary education seminar or complete the online training available from the State of Oregon Secretary of State (<http://filinginoregon.com/pages/notary/training/index.html>). Every six (6) years, the notary shall attend an approved notary education seminar in person.
 - iii. Notary-employees will be reimbursed for membership dues to a professional notary association should they wish to subscribe in order to keep current on changing laws and requirements up to a maximum of \$75 annually.