

**Quick Reference  
Guide for RI Notaries  
Public**

# DEAR NOTARY PUBLIC,

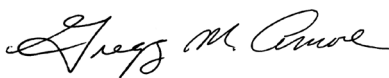
As your Secretary of State, I am committed to providing the tools necessary for you to succeed in your service as a Rhode Island Notary Public. Our notary program offers easy-to-use educational resources for new and seasoned notaries alike, including the RI Notary Public Manual, Standards of Conduct, video library, topical guides and weekly live notary training, all at no cost. As part of the continued effort to provide comprehensive educational tools for RI notaries, we have created this reference guide which includes the following helpful materials to assist you in fulfilling the duties of your notary commission:

- **Your Notary Stamp**
- **Your Notary Journal**
- **Identifying Your Signer**
- **Identifying the 5 Main Notarial Acts**
- **Notarizing in Unique Circumstances**
- **RI Notary Public FAQs**

In addition to these resources, our notary website ([www.sos.ri.gov/Divisions/NotaryPublic](http://www.sos.ri.gov/Divisions/NotaryPublic)) is available 24/7 to ensure you always feel supported in using your commission properly.

Thank you for your service to the people of Rhode Island. I wish you all the best.

Sincerely,



Gregg M. Amore

Secretary of State

THANK YOU  
FOR YOUR  
SERVICE AS A  
RHODE ISLAND  
NOTARY PUBLIC!



Register here for notary training!

## CONTACT

notaries@sos.ri.gov  
401.222.3040  
sos.ri.gov  
@RISecState

## ADDRESS

RI Department of State  
148 W. River St.  
Providence, RI 02904  
Monday through Friday  
8:30 am – 4:30 pm.

# Your Notary Stamp

RI Notaries Public must always use an inked notary stamp when performing notarial acts.

The RI Department of State does not provide notary stamps. You can purchase a notary stamp at any office supply store or online.

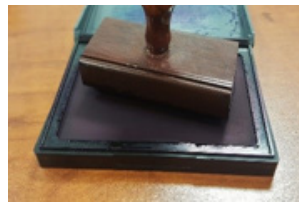


## AVAILABLE DEVICES

### SELF-INKING STAMP



### RUBBER STAMP WITH INK PAD



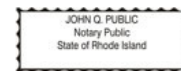
### EMBOSSER WITH PRE-INKED SEAL HIGHLIGHTER



## STAMP REQUIREMENTS

- Be inked or be capable of being inked with a dark-color ink;
- Be round or rectangular;
- Include an edge border;
- Contain your name exactly as it appears on your commission;
- Contain the words “Notary Public;” and
- Contain the words “Rhode Island.”

### ACCEPTABLE



Meets all requirements

### NOT ACCEPTABLE

Your Name Here  
NOTARY PUBLIC  
State of Rhode Island  
ID#000000  
Commission Expires 00/00/0000

No border

### NOT ACCEPTABLE



Embossed seal is not ink highlighted

# Your Notary Journal

A journal is a vital tool you can use for reference in the event a complaint is filed against you or you are called to testify to the details of a notarial ceremony.

A notary journal is not required by law; however, it is strongly suggested that you use one. A notary journal can be purchased at any office supply store or online.

A journal allows a notary to record information about a notarial ceremony in real time, including:

1. The date and time of the notarial act;
2. The type of document involved in the transaction;
3. The type of notarial act performed;
4. The name and address of the signer and witnesses, if applicable;
5. The signature of the person(s) who signed the document;
6. A description of the method used to identify the signer(s);
7. The fee, if any, charged by the notary; and
8. The reasons the notary did not complete or refused to perform a notarial act or additional questions the notary asked the signer, if applicable.

Date & Time	Type of Document	Notarial Act	Name and Address	Signature	Identification Type	Fee	Notes
January 1, 2022	Notary Application	Oath of Office	Jane Doe	<i>Jane Doe</i>	RI Drivers License	No Fee	None
12:00pm			148 West River Street Providence, RI 02904				
1	2	3	4	5	6	7	8

## A NOTARY JOURNAL SHOULD NOT BE:

- A notebook
- Copies of the signer's documents or identification
- Used by anybody but the commissioned notary

Notaries who use a journal of notarial acts should retain the journal for seven years.

# Identifying Your Signer

When reviewing a signer's ID, you are looking for two things: the photo on the ID looks like the person standing before you and the signature on the ID reasonably matches the signature on the document.

RI Notaries Public are required to screen signers to confirm their identity, comprehension, and intent. To positively identify your signer, they must be physically in your presence and bring with them an original ID or qualifying credible witness.



## ACCEPTABLE FORMS OF IDENTIFICATION

- Driver's license or identification card issued by the RI Division of Motor Vehicles or by another state or territory of the United States, Canada, or Mexico;
- U.S. passport or a passport issued by a foreign government; or
- Identification card issued by any branch of the U.S. military.

All identification must be either current or expired not more than three years.

Copies of identification are not acceptable.

## USING A CREDIBLE WITNESS

If your signer does not have an ID that meets the criteria above, they may use a credible witness. A credible witness must be someone who:

- Is personally known to the signer;
- Is physically in the room with the signer and notary;
- Is unaffected by the document the signer wishes to have notarized; and
- Is willing to be placed under oath to swear that the signer is who they claim to be.

You will identify the qualifying credible witness using one of the acceptable forms of identification listed above and place them under oath, asking them to swear to the signer's identity. Once the oath is administered, you may proceed with the notarial act as usual.

Be sure to capture both the signer's and the credible witness's signatures and detail how you identified them in your notary journal.

### Personal Knowledge

Being personally known DOES NOT mean you have known someone for an extensive amount of time. It means that, at some point in your relationship with the signer, you have successfully identified them using one of the types of identification listed above.

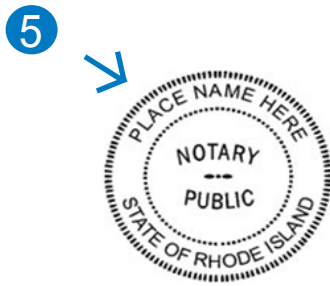
# Anatomy of a Notarial Certificate



RI notaries are required by law to use a notarial certificate each time they complete a notarial act. Notarial certificates require all 9 elements listed below.

- 1 State of:  
County of:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ and proved through satisfactory evidence of identification, to be the person whose name is signed on the attached document.



6 \_\_\_\_\_  
Notary Public

7

8 \_\_\_\_\_  
Notary ID#

9 \_\_\_\_\_  
Commission expiration date

## Key:

### 1 - Venue

State of: Rhode Island

County of: Providence, Bristol, Washington, Kent, or Newport  
(where the notarization is taking place)

### 2 - Date when the notarization takes place

### 3 - Name of your signer(s)

### 4 - Key words indicating which notarial act to perform:

The example above is a signature witnessing.

You may also see:

- acknowledged or declared (*acknowledgement*)
- subscribed and sworn to (*jurat*)
- true, exact, complete, and unaltered copy (*copy certification*)

### 5 - Inked notary stamp

6 - **Notarial signature:** may be the same or differ from your legal signature

### 7 - Notary's printed name

### 8 - Notary's identification number

### 9 - Date the notary's commission is set to expire

# Identifying the 5 Main Notarial Acts

The signer must always personally appear on the date and in the place you indicate on the notarial certificate.

During ALL notarial acts, the notary must screen the signer for identity, comprehension, and intent. If a document does not indicate which notarial act to perform, the signer must choose. As a notary you must remain impartial and cannot influence a signer's decision. Below are steps and tips to help you successfully perform the 5 main notarial acts.

## ACKNOWLEDGMENT

The signer acknowledges that they have signed the document for its intended purpose.

- 1) Review the document.
- 2) Identify the signer.
- 3) Have the signer verbally acknowledge their signature is/was made willingly and competently.
- 4) Verify the signer's signature.
- 5) Complete the notarial certificate and journal entry.

### Words to look for in the notarial certificate:

Acknowledge or Declare

**TIP:** This is the only act for which a document can come pre-signed.

## JURAT

The signer swears under oath that everything in the document is true.

- 1) Review the document.
- 2) Identify the signer.
- 3) Have the signer verbally acknowledge their signature is being made willingly and competently.
- 4) Watch the signer sign the document and verify their signature.
- 5) Administer oath or affirmation aloud.
- 6) Complete the notarial certificate and journal entry.

### Words to look for in the notarial certificate:

Subscribed and sworn to

**TIP:** A specific oath may be written on the document.

## COPY CERTIFICATION

The notary certifies the copy they made is a true and accurate copy.

- 1) Verify the document is one that a RI notary may lawfully copy and certify.
- 2) Personally photocopy or supervise the copying of the document.
- 3) Compare the original document to the copy to verify it is accurate and complete.
- 4) Complete the notarial certificate and journal entry.

### Words to look for in the notarial certificate:

True, exact, complete and unaltered copy

**TIP:** The document holder and the document owner do not have to be the same person. The document owner does not need to be present.

## SIGNATURE WITNESSING

The signer signs the document in the presence of the notary.

- 1) Review the document.
- 2) Identify the signer.
- 3) Have the signer verbally acknowledge their signature is being made willingly and competently.
- 4) Watch the signer sign the document and verify their signature.
- 5) Complete the notarial certificate and journal entry.

### Words to look for in the notarial certificate:

Signed on the attached document in my presence

**TIP:** When a signer requests a signature witnessing, they are simply establishing that they appeared before a notary public on a certain date.

## OATH/AFFIRMATION

The oath taker verbally promises to tell the truth.

- 1) Identify the oath taker.
- 2) Administer oath or affirmation aloud.
- 3) Complete the journal entry.

### Words for the Oath or Affirmation:

"Do you swear to tell the truth, whole truth, and nothing but the truth [so help you God] or [on your personal honor]?"

**TIP:** There is no notarial certificate for this act.



For step-by-step instructions on performing notarizations in these circumstances, see the [Notary Public Manual](#).

# Notarizing in Unique Circumstances

To properly perform a notarial act, a RI Notary Public must carefully screen the signer for three things:

- Identity (the signer is who they claim to be);
- Comprehension (the signer understands what they are signing); and
- Intent (the signer is acting of their own free will).

This requires physical presence of the signer, careful review of the signer’s identification and an interactive conversation between the notary and signer. Detailed below are several unique circumstances you may come across and tips on how to ensure proper screening of identity, comprehension, and intent.



## IDENTIFYING SIGNER

SCENARIO	TIPS
<b>SIGNER SIGNS BY MARK</b>	A mark may be an “x,” a smiley face, or another icon in place of a traditional scrawl signature. A person signing by mark must have two unaffected witnesses attend the notarial ceremony. The notary should indicate clearly on the notarial certificate the name of the signer and names and addresses of the two witnesses.
<b>DOCUMENT WILL BE SIGNED WITH A POWER OF ATTORNEY</b>	The person signing the document should sign with their name as “Attorney-in-Fact” for the grantor, for example, “John Doe, attorney-in-fact for Betty Smith.” It is recommended that notaries review a copy of the power of attorney document to verify the signer’s authority; however, it is not required by law.
<b>SIGNER DOES NOT MATCH ID PHOTO</b>	Look carefully at both the photograph on the signer’s ID and at the person standing before you. Sometimes, weight gain or loss, hairstyle choices, or other physical changes may make it difficult to recognize the signer as the person in the photo on their ID. By taking a close look, you will likely be able to identify the signer using unchanging features such as the shape of the eyes, ears, nose and mouth or identifying facial marks.





## SCREENING FOR WILLINGNESS AND COMPETENCY

SCENARIO	TIPS
<b>SIGNER IS BLIND OR ILLITERATE</b>	The notary should read the entire document to the signer before performing the notarial act to ensure the signer fully understands the contents of the document. You may also wish to add language to the notarial certificate like the following: "I further certify that I read the document to (name of signer) prior to notarization."
<b>SIGNER IS DEAF</b>	If the notary and signer can clearly communicate in sign language or in writing, they may do so. Be sure to note in your journal how you communicated with the signer.
<b>SIGNER WHO DOES NOT SPEAK ENGLISH</b>	If the notary and signer can clearly communicate in another language, the notarization can proceed as usual. If not, the notary or signer can obtain the help of an interpreter. The notary should place the interpreter under oath attesting that the translation is accurate. If using an interpreter, you should add language to the notarial certificate like the following: "I certify that the nature and effect of the document was translated for (name of signer) by (name of interpreter) before notarization." The notarial certificate should be completed in English.



## CONCERNS ABOUT THE DOCUMENT

SCENARIO	TIPS
<b>THE DOCUMENT IS FROM OUT OF STATE</b>	As long as both the notary and the signer are physically in each other's presence in the State of Rhode Island, a RI notary can notarize documents dealing with transactions in other states. The exception to this is if the document specifically requires the services of a notary from another state.
<b>THE DOCUMENT IS IN A FOREIGN LANGUAGE</b>	A notary does not need to understand or swear to the truthfulness of the contents of a document. As long as the signer understands the language on the document and the notary can clearly communicate with the signer, including reviewing their identification documents, the notarization can proceed. The notarial certificate should be completed in English.
<b>THE DOCUMENT IS A WILL OR LIVING WILL</b>	A document presented to a notary as a will should be notarized only if clear instructions and the appropriate notarial certificates are provided to the notary. Performing a notarial act on its own does not make a will "legal" or "valid." Non-attorney notaries cannot offer any advice regarding how a will should be prepared or the legal effects of a will.
<b>THE DOCUMENT IS A TRANSLATION</b>	When notarizing a translation, the document must be signed by the person who provided the translation. The notary must place the signer under oath to affirm that the translation is accurate. If the notary translated the document, that notary cannot also notarize the document.

# RI Notary Public FAQs

The questions listed below are general questions you may have about being a RI notary public. The RI Department of State also offers free notary training several times each month. Visit the training calendar and register for a date convenient for you.

## 1. How should my notary stamp look and where do I get one?

The stamp must be round or rectangular with an edge border surrounding the required elements of the stamp. The stamp must include the notary's name exactly as it appears on their commission, the words "Notary Public" and "Rhode Island." The stamp must also be self-inking or capable of being inked with a dark-color ink. You may purchase a stamp at an office supply retailer online or in-store.

## 2. Should I use a journal?

Rhode Island notaries are strongly encouraged to use a notary journal, but it is not required by law. Many notaries find that using a journal is a protective measure for themselves and a very beneficial tool when responding to a notary complaint or testifying to the details of a notarial act they performed.

## 3. What forms of identification can I accept?

- Driver's license or identification card issued by the RI Division of Motor Vehicles or by another state or territory of the U.S., Canada, or Mexico;
- Valid passport issued by the U.S. Department of State or by a foreign government; or
- Identification card issued by any branch of the U.S. armed forces.

All identification must be either current or expired not more than three years and must be the original document, not a copy.

## 4. How can a signer use a credible witness?

If a signer does not have an acceptable form of ID, they can choose to use a credible witness to prove their identity. A credible witness must be:

- Personally known to the signer;
- Identified by the notary by an acceptable form of identification;
- Physically in the notary's and signer's presence at the time of notarization;
- An unbiased third party who has no interest in, or benefit from, the transaction; and
- Placed under oath by the notary to swear that the signer's identity is valid.

## 5. How do I update/change my information?

Complete the Notary Information Update Form and submit it to the RI Department of State Notary Division. There is no fee to update your commission information. Notaries are required to report changes to their notary commission within 10 days of the change, except for updates to the notary's status as an electronic notary, which must be reported within 5 days of the change.

## 6. Can I still notarize a document if my commission expired?

Yes, a notary public may continue to use their commission for thirty (30) days after the date on which their commission expires. Once 30 days have passed, you may no longer use your commission until it is successfully renewed.

## **7. What do I do if I want to resign?**

A notary may resign their commission at any time by notifying the RI Department of State, Notary Division in writing by email to [notaries@sos.ri.gov](mailto:notaries@sos.ri.gov) or by mail to 148 W. River Street, Providence, RI 02904.

## **8. Can I notarize for a relative?**

No, a notary public cannot perform a notarial act for a spouse, domestic partner, parent, guardian, child, or sibling, including in-law, step, or half relatives.

## **9. Can I charge a fee to notarize a document?**

A RI notary public may charge a fee not to exceed \$25 per document/notarization.

## **10. If I am a notary for my employer and leave the job, am I still a notary?**

Yes, a notary public owns their commission, stamp, and journal regardless of whether their employer paid for said commission and notary tools.

## **11. Can I notarize a document in another state using my RI notary commission?**

No, RI notaries may not perform a notarial act anywhere outside of Rhode Island.

## **12. Can I refuse to notarize a document?**

You should refuse to notarize a document if you cannot properly screen the signer for identity, willingness, and competency, if the document contains information you know is false or fraudulent, or if you are otherwise prohibited from performing a notarial act on the given document. You should not refuse to notarize a document simply because you “don’t want to” or are not sure how to perform your duties properly.

## **13. What is the difference between an oath and affirmation?**

An oath is a spoken pledge to a God or a higher power. An affirmation is a spoken pledge made on the signer’s personal honor with no reference to a higher power. Either one can be used in an oath or affirmation notarial ceremony.

## **14. Can I notarize a document from another state?**

A RI notary can notarize any type of document unless the document specifically says the document must be notarized by a notary commissioned in a different jurisdiction.

## **15. What is a notarial certificate, and do I have to use one?**

A notarial certificate is legally required wording that is a part of or attached to the document that is being notarized and states the facts attested by the notary during a particular notarial act, including:

- The place where the notarial act took place;
- When the notarial act took place;
- Which notarial act was performed;
- Who appeared before the notary; and
- Details about the notary’s commission, including the required inked notary stamp.

RI notaries must use a notarial certificate each time they perform a notarial act. Sample Certificates are available for download and use at [sos.ri.gov/Divisions/NotaryPublic/NotarySupplies](https://sos.ri.gov/Divisions/NotaryPublic/NotarySupplies).