

The Secretary of State appoints and commissions notaries public for 4-year terms. Notaries take an oath of office, obtain a bond (insurance) and pay a fee to the State and the county in which they reside. They are then licensed to perform the acts of their office, mostly consisting of verifying signatures.

What do I do if I need to have my signature notarized?

If you have a document to sign which needs to be notarized, take the unsigned document to a notary public. The notary will ask you to produce a picture ID in order to be sure you are who you say you are. Then, the notary will have you sign the document in his or her presence, and will sign and seal it as well, so all who see the document will know that you, and not some imposter, signed it. Student Legal Service has four notaries available to U of I students.

What documents typically need to be notarized?



Documents which require notarization are usually those which are signed under oath, and include Power of Attorney, deeds to real estate, wills, affidavits, and many types of contracts.

Does a notarized document mean that it's true?

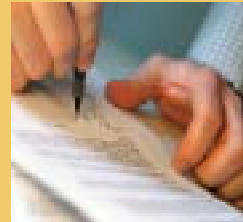
No, the notary only verifies that the right person signed the document. You, as the signer, are indicating that the contents are true.

Can a notary give me advice about the document I'm signing?

No, this is not the function of a notary public. In some countries, notaries are authorized to give legal advice. In the U.S., only licensed attorneys may dispense such advice.

Can a notary charge me a fee?

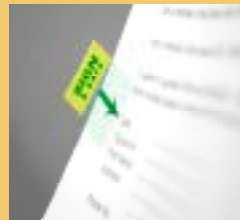
A notary may charge a fee of \$1.00 to verify your signature. Student Legal Services does not charge a fee to notarize your documents.



If a notary is required to submit what is called a Certificate of Authority, verifying they are who they say they are, there is an additional charge of \$2.00.

I need to send photo-copies of documents (Passport, I-90, driver's license, Social Security Card, Marriage License, etc.). Can a notary certify these for me?

No. Illinois law does not authorize a notary public to certify copies of any document. See "Document Certifications" in this pamphlet.



AFFIDAVITS



What is an affidavit?

An affidavit is a written statement whose maker signs, under oath, that it is a true statement. This person's signature is also notarized for authenticity.

I'm supposed to be a witness in a trial. Can I just send in an affidavit instead of actually appearing in court?

An affidavit is not acceptable in lieu of live testimony in court. If you are to be a witness, then you must appear personally, as you must be available for cross-examination by the other side. A document can't be cross-examined.

What if I sign an affidavit that contains false information?

Lying under oath is perjury, a Class 3 Felony, carrying potential penalties of 2 to 5 years imprisonment and a \$25,000.00 fine.



STUDENT LEGAL SERVICE

324 Illini Union

Office Open:

8:30am-Noon, 1-4:30pm M-F

<http://www.odos.uiuc.edu/sls>

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DOCUMENT CERTIFICATIONS

What is a document certification?

If you have an original document, such as a birth certificate, school transcript, or something else that might be difficult to replace, that document can be copied and the copy certified, making it as good as the original.

Can a notary public certify a document?

No, a licensed attorney must do this. The attorney reviews the original document, then compares it with a copy. The attorney then inscribes language on the copy, verifying that it is identical to the original, signs the certification language, and his or her signature is then notarized. This method of certification is effective in most situations.

There are occasions when something more needs to be done, particularly for documents which need to be used outside the United States. These often need additional governmental authorization, called an "apostille", which involves first obtaining a certificate of authority from the county in which the notary public is registered. In Champaign County, the Clerk is at 1776 E. Washington St. in Urbana. The green bus can take you there.

That document is then sent with a \$2.00 fee to the Secretary of State, who provides a separate letter ensuring the veracity of the document; in effect, it is an official state stamp of approval.

Can certification of a document be done while I wait?

No, it usually takes at least one day to complete the process. If you have more than one document to certify, it can take longer.

RESOURCES

County Clerk, Champaign County 384-3720
1776 E. Washington St., Urbana, IL

Secretary of State
"Certifying documents for foreign use"
http://www.cyberdriveillinois.com/publications/pdf_publications/i1772.pdf

Student Legal Service 333-9053
<http://www.odos.uiuc.edu/sls>

The information contained herein is not intended as a substitute for legal advice. Students who are confronted with legal problems or who need specific advice are encouraged to seek assistance from a licensed attorney at Student Legal Service.

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**NOTARIES
PUBLIC**

In Illinois, a Notary Public is a person authorized by the State to perform certain acts, the most common of which is to verify that, when a person signs a document, they are truly the person whose name appears on that signature line. The purpose is to prevent falsification of documents, commission of perjury.

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