

NOTARIZATION OF DOCUMENTS

NOTARIAL ACT DEFINED

“Notarial acts” include the “act of witnessing” by the notary public in accordance with specifications of state law. This includes signed documents or electronic records and requires the notary to ensure the signer’s identity and willingness to sign. See Iowa Code section 9B.2(5) for other examples of “notarial acts.”

The notarization of a document will:

(1) detect and deter fraud when the proper steps of notarization are followed.

However, a notarization does not:

(1) prove the truthfulness of statements contained in the document, (2) legalize or validate the document, or (3) by itself protect a person’s rights to his/her artistic creations or inventions.

DOCUMENT REQUIREMENTS

When notarizing, skim the document for blanks. If the blanks are intended to be left unfilled, the signer needs to line through each space or write “not applicable.” Also, be sure all signatures are original and made in ink.

STAMPS

Iowa law requires notaries public to use a notary stamp.

For a notary commissioned by the Secretary of State, the stamp MUST include:

(1) name, (2) the words “Notarial Seal” and “Iowa”, (3) the words “Commission Number” followed by your commission number, and (4) the words “My Commission Expires” followed by the expiration date or a blank line to write in the date.

For a public official, the stamp MUST include:

(1) name, (2) the words “Notarial Seal” and “Iowa”, and (3) the title under which the person may perform notarial acts.

Note: “Public official” means an individual who is appointed a Notary Public under Iowa Code section 9B.21(4) which authorizes them to perform notarial acts. It does not necessarily include all elected officials.