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Glossary of Notary / Notarial Terms

Acknowledge: To admit the existence or truth of a statement and accept responsibility.

Acknowledgment: A formal declaration made to authoritative witness by the person who executed the document that it was freely executed.

Acknowledgment Certificate: A written statement, affixed to an agreement, signed and sealed by an authorized official that states in a form, usually prescribed by law, that the official took the acknowledgment of the person who signed the agreement.

Administer: To give or apply in a formal way.

Affiant: One who makes a swearing statement in an affidavit.

Affidavit: A written declaration made under oath before a notary public or other authorized officer.

Affirmation: To declare positively or firmly; maintain to be true. An affirmation replaces "swearing before God."

Affix: To secure (an object) to another; to attach; add to.

Apostille: Authentication document for Hague Convention members.

Appointment: The act of designating for an office or position.

Attest: To affirm to be correct, true, or genuine; corroborate.

Authenticate: To prove or verify as genuine.

Certificate: A document testifying to a fact, qualification, or promise; or 2) A written

statement legally authenticated.

Certified Copy: A document certified by a notary to be a true and correct copy of the original.

Civil Action: Not a criminal action. A lawsuit for the purpose of protection of private (not public) rights and compensation for their violation.

Civil Liability: The responsibility and obligation to make compensation to another person for damages caused by improper performance of duties and acts.

Closing Agent: Closing agents can be the lender, escrow, title, closing service companies, etc. A closing agent actually performs the closing process, which includes disbursement of funds, the issuing of title insurance, if applicable and recording of the deed. In addition, the closing agent, if a notary, can also notarize the applicable documents in the loan package.

Commercial Paper: 1) Any of various short-term negotiable papers originating in business transactions; or 2) A document whose purpose is to transfer money such as a check, bill of exchange or draft.

Commission: A document describing the notary's appointment and term of office.

Credible Witness: A believable witness worthy of confidence. Creates a chain of personally known individuals from the notary public to the signer of a document.

CNSA: The acronym CNSA means "Certified Notary Signing Agent". The basic definition of a CNSA is a Notary Public who has been trained by the National Notary Association (NNA) to handle the execution and notarization of mortgage, refinancing and real estate transactions.

Dispose: To store in an orderly manner. In relation to notarial journal, to store for seven years.

Duress: Constraint by threat, coercion.

Embossing: A pliers-like device, that when squeezed together with paper between the jaws, makes raised areas and indentations on paper. Used as a protection device. Not an

official notary seal; but may be used in addition to the official notary seal.

Errors and Omission Insurance: An insurance policy designed for the protection of the notary when held liable for honest mistakes. The insurance policy absorbs the notary's costs and financial liabilities up to an agreed limit.

Felony: A crime more serious than a misdemeanor and punishable by a more stringent sentence.

Journal of Notarial Acts: Notarial journal prescribed by law to record notarial acts.

Jurat: An affidavit declaring when, where, and before whom it was sworn.

Jurisdiction/Venue: The locality where a cause of action occurs. The state and county where a notarization takes place.

Loose Certificate: A document with notarial wording that is separate from, and attached to, the document being notarized. It is used when no wording is provided on the document, when that provided wording does not comply with the state's requirements, when there is no room for the notary seal on the document, or when a preprinted certificate has already been used by another notary in the case of multiple signers.

L.S. (locus sigilli): Indicates where the official notary seal imprint is to be placed. Latin term Locus Sigilli means "place of the seal."

Misconduct: Behavior not conforming to prevailing standards or laws.

Misdemeanor: An offense of lesser gravity than a felony for which punishment may be a fine or imprisonment.

Notary Journal: An official record book of notarizations performed by a notary. Required by law in the State of Oregon. All entries must be in chronological order and have all required fields completed at the time of notarization. It must be kept under the direct and exclusive control of the notary and kept in locked and/or secured area.

Notary Public: A person commissioned by a state government to serve the public as an impartial witness with duties specified by law. The notary has the power to witness the signing of documents and to administer oaths.

Notary Seal: An official stamp or embosser used by a notary to seal notarizations. It must be kept under the direct and exclusive control of the notary

Notary Signing Agent: National Notary Association is using this name for a Notary Public that is trained to do loan document signings, see Signing Agent.

Oath: A statement by a person who asserts it to be true, calling upon God as witness.

Official Notary Seal: An official stamp or embosser used by a notary to seal notarizations. It must be kept under the direct and exclusive control of the notary.

Personally Known: Familiarity with an individual resulting from interactions with that individual over a period of time sufficient to eliminate every reasonable doubt that the individual has the identity claimed.

Power of Attorney: A legal instrument authorizing one to act as another's agent or attorney.

Resignation: Written statement that one is resigning a position or office.

Revoke: To cancel or rescind.

S.S. or SCT: Indicates where the notarization is performed. Latin term Silicet means "in particular" or "namely." Commonly referred to as jurisdiction.

Satisfactory Evidence: Sufficient means of identifying a signer which meets criteria set forth by law.

Sanctions: The penalty for noncompliance specified in a law or decree.

Signing Agent: A Notary Public who has been trained by the National Notary Association (NNA) to handle the execution and notarization of mortgage, refinancing and real estate transactions.

Signing Service: A company who subcontracts signing appointments to "Loan Document Signers" (Notary Public) for signing of loan documents and notarization. The sole purpose of this company is to act as a "Go-between" company, between the client and the notary public".

Subscribe: To sign one's name in attestation, testimony, or consent.

Subscribing Witness: A person who appears before the notary on behalf of the principal. The subscribing witness must have been requested and/or authorized by the principal to get the document notarized, must swear under oath or affirmation that they either saw the principal sign the document or heard the principal acknowledge that they signed the document, must sign the document before appearing in front of the notary or in the notary's presence, must establish identity through personal knowledge of the notary or through the oath or affirmation of a credible witness known to the subscribing witness and the notary, and must sign the notary's journal.

Suspend: To cause to stop for a period; interrupt.

Swear/Sworn: To make a solemn promise; to vow, usually before God.

Testimonium clause: At the end of many documents and certificates that follows the form "witness my hand and seal" or some variation thereof.

Venue / Jurisdiction: The locality where a cause of action occurs. The state and county where a notarization takes place.

Verification: A confirmation of the truth of a theory or fact.

Waiver of Fees: A statement which waives or gives up the right to charge for notarial services.

Witness: A person who watches an action take place.