

ALASKA



NOTARY HANDBOOK

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*Notary Test and Application are located on the last pages of brochure.

GENERAL INFORMATION

Qualifications

To obtain a notary commission in Alaska, each applicant must be 19 years of age and a resident of Alaska. Resident means a person who maintains a permanent place of abode in Alaska and is in fact living in Alaska.

Commission Fee

Effective May 12, 1990, the fee for each notary public commission is \$40.

Directions for Commissioning Process

Each applicant must complete the enclosed notary bond form and educational test, located in the back of this brochure. The bond serves as the application; therefore, there is no separate application form. The form may be obtained from local insurance agencies, the Lieutenant Governor's Office, the Clerk of the Court's Office, or the Governor's Office. Every notary must have a surety and the bond must be completed by the surety, with appropriate signatures, seals, etc. Directions on filling out the application are located in this handbook.

The educational test was implemented by the Lieutenant Governor, effective January 1, 1992. The test was enacted to help notaries public within Alaska become more familiar with Alaska notary laws and general information on the policy and procedures of being a notary public.

Once the applicant has completed the bond form and educational test, return them along with a check made payable to the State of Alaska for \$40.00 to:

Lieutenant Governor's Office
PO Box 110015
Juneau, AK 99811-0015

The application will be processed within three weeks. However, if an application is submitted to this office incomplete, or if any information on the application requires further explanation, the application and check for the fee will be returned with a letter from the Lieutenant Governor's office requesting verification. Whenever an application must be returned for completion or verification, there will be a delay in the issuance of a commission.

Term of Office

Notary public commissions are issued for a four-year term of office. This term is set by law. (see page 26)

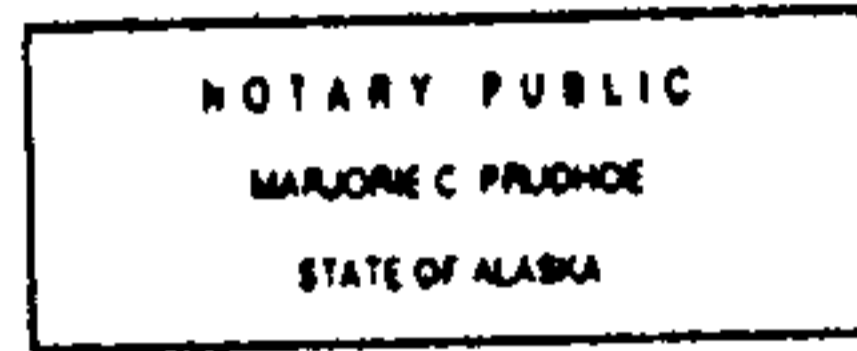
Notary Public Bond

The bond must be in the amount of \$1,000. Suppose you are sued for \$500. If you are shown to be liable and cannot pay the \$500, your surety would pay this amount to the injured party. Then, the surety would seek repayment from you. If you do not respond, the surety would sue you to recover the \$500.

It is a common misunderstanding among notaries that the bond protects them from civil lawsuits. It does not. **The notary bond protects the public against a loss resulting from a wrongful notarial act, whether the act was intentional or unintentional.** The notary must reimburse the surety for any bond funds paid to a person who has suffered losses caused by the notary's improper performance of official duties. **Notaries have unlimited financial liability for intentional and unintentional misconduct.**

Seal

The notary seal may be either a seal press or rubber stamp that will print or emboss a seal that legibly reproduces, under photographic methods, the words, "State of Alaska", "Notary Public", and the name of the notary. The seal may be circular, not over 2 inches in diameter, or may be a rectangular form, not more than 1 inch in width by 2.5 inches in length.



You must also type, print, or rubber-stamp the following information on every notary certificate you complete, and this information must be capable of photographic reproduction:

- 1) Your name exactly as it appears on your commission and seal;
- 2) the words, "My commission expires";
- 3) expiration date of your notary commission.

For convenience, it is suggested that a rubber stamp be purchased which contains this information.

EXAMPLE:

John Smith _____

My Commission Expires 1/15/98

Journal

Alaska law does not require that a permanent record of notarial acts be kept, however, this office cannot emphasize enough the importance of recording every notarization completed by a notary public. If a notarized document is lost or altered, or if certain facts about the transaction are later challenged, the journal becomes

valuable evidence. It can both protect the rights of citizens and help notaries defend themselves against false accusations.

These journals may be purchased in a local office supply store or may be ordered through the educational organizations listed in this handbook, as well as through one of the bonding companies that offers a package of notary supplies.

Renewals

It is the same process to renew a notary commission as to obtain a new commission. Notary public commissions are for a four-year term. There are no provisions in the notary law for renewals. To obtain another commission as a notary public, submit a completed bond application to the Lt. Governor's office no earlier than one month prior to the current expiration date. Every effort will be made to allow no lapse between the old and new commission terms, however, if a notary submits an application after the date of expiration of their commission, there may be a lapse in service. The same application form is used to request each commission. No person is automatically reappointed as a notary public. Each notary is responsible for obtaining the \$1,000.00 notary bond or procuring a private surety for each new term of office. **State employees should contact their personnel office for the proper application form.**

Lost or Stolen Seal

If an embossed seal, rubber stamp or notarial journal are thought to be lost or stolen, please send this office a letter advising us of the approximate date you noticed the item missing. This notice will be placed in your notary file.

Under these circumstances, it is not necessary to apply for a new commission, but it is recommended that you mark the approximate date your seal was lost or stolen in your journal. You may also want to report a stolen seal to your local police department.

Resignation of Commission

If for any reason you no longer wish to serve as a notary public, please return your commission certificate, and a letter of resignation to the Lieutenant Governor's office. A reason for the termination is not necessary, but an effective date of resignation is appreciated.

State Employees as Notaries

Alaska Statute 44.50.170 states, "The Lieutenant Governor may appoint and commission state employees as notaries public of the state to act for and on behalf of a department of the state government as the Lt. Governor considers proper." If a state employee feels that a particular job necessitates becoming a notary public, the employee should contact his/her personnel office for the required paperwork. **A state employee acting as a notary for the state may only notarize documents for "official state business," as stipulated on the state employee form which is signed by each state employee notary.**

A state employee may act as a notary for the state, and also carry a "private" notary bond. Contact the lieutenant governor's office for more information and appropriate paperwork.

Misconduct or Neglect

A notary and the sureties on the official bond are liable to persons injured for the damages sustained as a result of misconduct or neglect of the notary. To avoid acts of misconduct, it is highly recommended that each notary keep a complete log of notarial acts.

Educational Information

The National Notary Association
9350 De Soto Avenue
PO Box 2402
Chatsworth, CA 91313-2402
Phone: (818) 739-4000

The American Society of Notaries
PO Box 5707
Tallahassee, FL 32314-5707
Phone: (800) 522-3392

Intermountain Notary Institute
PO Box 58595
Salt Lake City, Utah 84158-0595
Phone: (801) 582-0924

