

NOTARY PUBLIC

A Notary Public is an officer commissioned by the Michigan Secretary of State to serve as an unbiased and impartial witness. The most common function of the notary is to prevent fraud by attesting to the identity of a person signing a document. Notarization on a document certifies that the person whose signature is entered on the document appeared before the notary, established his or her identity, and personally signed the document.

Every citizen appointed as a notary has a duty to learn the notarial laws on their own initiative. For example: notaries are not allowed to perform marriage ceremonies in the State of Michigan. Before a notary performs any notarial act, the notary is required to read the Notary Public Act, 2000 PA 238 (MCL 55.261 to 55.315) and the Uniform Recognition of Acknowledgments Act, 1969 PA 57 (MCL 565.261 to 565.270).

The underlying principles of notary law are truth and integrity. Ignorance of notary law is not an excuse, or a defense, for violation of notarial law and procedure.

NOTICE: NEW NOTARY LAWS EFFECTIVE APRIL 1, 2004 DUE TO THE PASSAGE OF PUBLIC ACT 238 OF 2003! NEW FORMS AND RULES APPLY.

Click to link to the [State Web Site for Notaries](#):

Click to Print [Application](#) from State Site:

(You will need [Adobe Acrobat](#) to view this pdf form)

Click to Print [Request for Duplicate/Notice of Change](#) from State Site:

(You will need [Adobe Acrobat](#) to view this pdf form)

Click for information on the [Notarization of Documents](#):

Click to link to the [Michigan Notary Act](#) (PA 238 of 2003):

Qualifications:

- At least 18 years of age.
- A Michigan resident, or, if a nonresident, maintain a place of business in Michigan.
- A US citizen or possess proof of legal presence.
- A resident of the county where you are requesting a commission. In the case of non Michigan residents, you must work in the county in which you are requesting a commission.
- Read and write in the English language.
- Be free of any felony convictions, misdemeanor convictions, or violations as specified.
- Have filed with the appropriate county clerk a proper surety bond in the amount of \$10,000 and taken the oath of office as prescribed by the constitution.
- Sign a declaration that all information on application is correct, that you have read and understand the laws, and that you will perform all notarial acts faithfully.
- Not be imprisoned in any state, county or federal correctional facility.

Surety Bond Information:

- Notaries public are required to obtain a \$10,000 surety bond which can be purchased from most insurance companies, then file it at the Office of the County Clerk in the county where the notary will be appointed.
- A surety bond protects the public from a notary's misconduct or negligence.
- The bond provides coverage for damages to anyone who suffers financially due to an improper official act on the part of the notary.
- The surety may seek reimbursement from the notary for any damages it pays on the notary's behalf.
- The Michigan Department of State is authorized to require the notary to purchase replacement bonding if the

\$10,000 bond funds are depleted by damage claims.

- Surety bonds are not insurance policies. The bond protects the public if a court judgment is rendered against a notary because of negligence or misconduct.
- A surety bond does not protect the notary. "Liability" or "errors and omissions" insurance protect an individual notary.

Application Process:

- Must complete an Application for Michigan Notary Public Appointment with your driver's license number, full legal name, name as you wish to be appointed, date of birth, residential address, business address, telephone numbers, and if a current notary, information about your current appointment. To ensure that your appointment is accurately made, print or type your name on the application exactly as you intend to use it when notarizing documents. ***It is important that you sign the application exactly the way you wish to be appointed.***
- Obtain and file a surety bond (available through insurance agencies or bonding companies) in the amount of \$10,000 with your respective county clerk. The filing fee is \$10.
- The county clerk will also administer an Oath of Office, and verify that you have complied with the requirements by completing the designated area on the completed Notary Public Application. Your original signature must then be placed on the form, agreeing to all conditions stated.
- After you have fulfilled the filing requirements at the county level, you must then forward your completed application (with a \$10 non-refundable processing fee) to the following address: Michigan Department of State, Office of the Great Seal, 7064 Crowner Blvd., Lansing, MI48918. Do not send cash. Send a check or money order payable to the "State of Michigan".
- Your notary commission certificate will then be mailed directly to your residence address as indicated on the application form. Your notary commission is not valid until you receive your certificate of commission in the mail.

Term of Commission:

- Notary public commissions are issued for a 6 to 7-year period ending on the notary's birthday.
- There is no renewal process, therefore, it is your responsibility to apply for a new commission no more than 60-days prior to the expiration date.

Fees a Notary can charge:

- PA 238 of 2003, effective 04/01/2004 provides that notaries public shall receive not more than \$10.00 for services in notarizing an acknowledgement or jurat.
- Additional fees for travel may be negotiated between the notary and the client prior to the commencement of the travel.