

What You Should Know About Notarizations

From the Office of Tribal Court

Q: What is the purpose of a notary public?

A: The purpose of a notary public is to reasonably assure that the signature on a document is authentic (original).

Q: How does a notary do this?

A: A signer must personally appear before a notary and be identified in one of three ways:

1. The notary knows you personally
2. Confirmation of your identity by a credible witness (known to the notary)
3. Your photo identification card

The notary will require you to sign a notary journal, which is the notary's personal record of every notarization he/she performs. The notary must identify what your document is so he/she can use the appropriate notarial certificate. If a certificate (notary wording) is preprinted on your document, the notary must analyze it to be certain it complies with state notary law. If the wording on your document is not appropriate, the notary must either use his/her own

certificate or refuse to notarize your signature on that document.

Q: How do I know what kind of notarial certificate I need?

A: If your document doesn't provide a certificate, the notary will discuss with you which certificate may be most appropriate for your transaction. There are three types of notarial acts to choose from:

1. Acknowledgments: The notary certifies that you, the signer, personally appeared before him/her, that he/she verified your identity, and you acknowledged to the notary that you signed the document. The typical wording of an acknowledgment certificate includes: "Acknowledged before me by John Doe..."
2. Jurats: The notary certifies that you, the signer, personally appeared before him/her, that he/she verified your identity and then placed you under oath regarding the truthfulness of your document, and then watched you sign the

document. (If you signed the document prior to coming to the notary, it is totally proper to sign the document again when so instructed.) Typical wording of a jurat certificate includes: "Subscribed and sworn to before me by John Doe..."

3. Copy Certifications: The notary certifies that the copy is a complete and true reproduction of the item copied. It may be necessary for the notary to read your document to ensure the copy is complete and accurate.

Q: Where can I find a notary public?

A: Notary publics may be found in banks, real estate offices, courts, city halls, and post offices, to name a few places.

Some Final Points

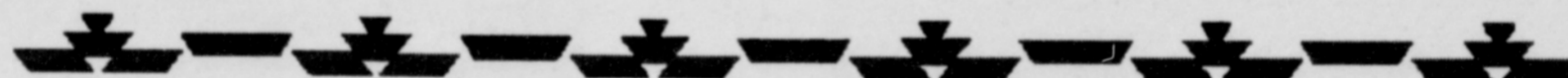
The notarization of your signature has no affect on your document's legality, validity, or truthfulness. It's merely a verification of your signature's authenticity.

A notary's certificate must be

legible and complete. If there's insufficient room for the notary's signature or seal, the notary will either use his/her own certificate or refuse to perform the notarization.

The notary must be certain you, the signer, are signing the document willingly and freely. He/she must not rely on the word of another, but determine this for himself/herself. The notary will do this by conversing with you and asking you a couple of questions about your transaction. If he/she is uncertain, he/she cannot notarize for you.

A notarial certificate need not be on the same sheet of paper as your signature. It can be on the reverse side of the page, on another page of your document, or as an attachment to your document. A notarial certificate by attachment must include an attribution clause indicating that it was prepared as an attachment to a specific document. If the certificate is separated from the intended document, it's invalid. It need not be stapled, glued, or paper clipped to the document by the notary, as this is up to the signer to decide.



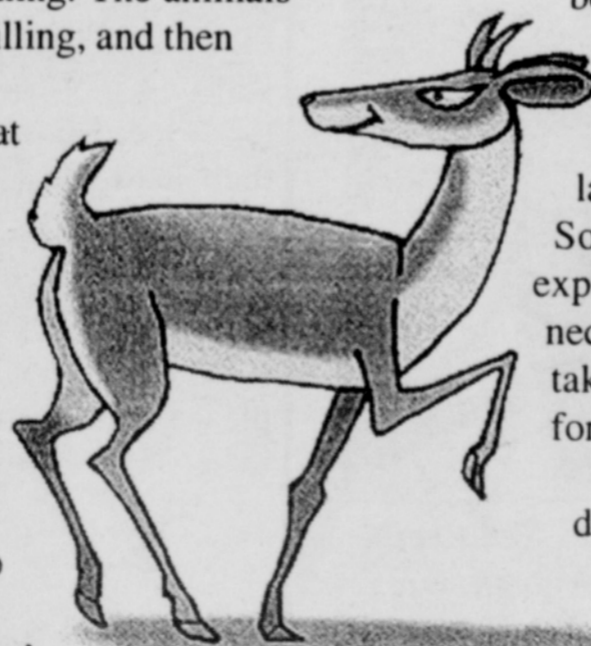
Walt's Words of Wit and Wisdom

Long ago, when animals and people could speak to one another, the people started taking the animals for sport, looking for trophies and such, much as today. The Animal People became concerned about what was happening. The animals were being killed not for food, but for the fun of hunting and killing, and then letting the meat go to waste.

The Animal People had a big meeting, trying to decide what to do about the Two Legged people. They decided that they needed to talk with the Two Legged and remind them of what the animals were to them. Next, they needed to decide who would talk to the Two Legged.

Now Bear, the symbol of power and strength, said, "I would like to do it, but I have a short time to get enough food to last me all winter while I sleep. I can't do it." Next Elk, a symbol of strength and leadership, said, "I would like to have the honor, but I have to move my people from one mountain to another to find food, depending on the season. I just don't have time to."

Next Beaver, a symbol of close-knit family, said, "I too don't have time. I have to get several cords of wood together so that we may survive the coming winter. I just cannot do it." Now Deer, the chosen animal, came forward and said, "Well, I guess that I will take time from my busy schedule and will talk to the Two Legged."



Deer went to the Two Legged and shared with them, "You have been taking our People for fun. You have not needed them for food or shelter. You have not been asking permission to take their lives or explaining why you needed them. After taking our People, you have not been thanking the Animal Spirits for the services that you are getting."

The leader of the Two Legged agreed that they had become lax and said that he would see to it that it wouldn't happen again. So the Two Legged started asking forgiveness before the hunt, explaining to the Animal Spirits what he was hunting and why it was necessary for him to take the life of one of the Animal People. After taking an animal, the Two Legged would thank the Animal Spirits for the giving of this life for the Two Legged.

After a time, maybe 10,000 years or more, the Two Legged started doing it again – not asking permission or thanking the Animal Spirits. Again the Animal People had another meeting and said that since Deer had talked to the Two Legged before, Deer should be the one again.

Deer went to the Two Legged and shared with them, "You have disobeyed our last meeting. You are taking our People's lives, not asking, not thanking. For this there will be some consequences. From this day on, you will no longer be able to talk with the Animal People. From this day on, your women will have pain in childbirth, and from this day on, you will be troubled with pain in your bones and joints."