

## **GENERAL ORDER 13.5.1**

### **Notaries**

**GENERAL ORDER CROSS-REFERENCE: None.**

### **SUMMARY**

Describes procedures for Department notary publics.

### **DISCUSSION**

The 1989 Legislature changed the laws governing notary publics and instituted new records keeping requirements. The primary change requires the keeping of a chronological log of notarial acts. This journal has been designed and implemented for the protection of the notary. Law suits have and are being directed at notaries because of their inability to document facts surrounding their notarial acts.

### **POLICY**

#### **I**

All notaries shall make a journal entry for the following notarial acts:

1. Any document signed by anyone who is not a Department employee. This includes other City employees and spouses and other family members of employees.
2. Affidavits and/or complaints signed by non-Department members.
3. Any document relating to the transfer of property such as abandoned vehicles and/or items sold at auction. These entries can be batched together into one journal entry. These documents relate to Police Department business only.
4. Any Bill of Sale relating to Police Department business only.

The journals are self explanatory and have additional rules printed inside. These journals are the responsibility of each notary and must be kept for a minimum of 7 years past the expiration of the commission period in which the last entry in the journal is made.

Notaries cannot notarize their own signature or a document in which their name appears. It is recommended they do not notarize any document for a family member.

## **II**

Department notaries may provide notarial services for city employees and/or public citizens.

## **III**

Department notaries shall not perform sympathy notarial acts. That is, the notary must personally witness the signing of the document.

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Richard L. Lewis  
Chief of Police